

# **BNLLEN POLICIES**



2007

# COMMITTEE OF MANAGEMENT INDUCTION POLICY

## 1. Introduction

The reason for the Induction Process is that all new CoM members are up-to-date with all projects and the current strategy before their first Committee of Management (COM) meeting.

## 2. Induction Process

Following confirmation of appointment or employment, the Executive Officer (EO) or the Chair shall invite new CoM member/s to attend a briefing session at a suitable destination. At this briefing session, the Charter, strategic goals, core values and the vision and the mission statements are clearly articulated.

The origins of the BNLLLEN's Strategic Plan and the Environmental Scan are explained and how this links with Schedule 1 and the BNLLLEN's contract with the State and Federal Governments.

All new CoM members shall meet with either the EO, the Chair or other member of the Executive. This briefing session shall highlight information from the following documents:

- BNLLLEN Charter
- Statement of Purpose
- Schedule 1 Contract with DoE and DEST
- BNLLLEN policies
- Staff structure and roles
- CoM structure diagram
- Latest Staff report
- LCP information
- LCP Business Plan
- Membership list
- CoM members details
- Meeting dates

As part of the Induction Process, it is the responsibility of all employees and CoM members to familiarise themselves with the contents of the Conflict of Interest Policy in relation to how it impacts on their responsibilities which are a part of their employment and be aware that sanctions will be applied for breach of the policy. All CoM members need to complete the Conflict of Interest form.

## 3. CoM Meeting

The new committee member and/or employee is introduced to everyone at the very next CoM meeting if he/she has not met everyone prior to this occurring.

## 4. Timeframe

This Induction Process will take place within 90 days of the appointment.

# CONFLICT OF INTEREST POLICY

## 1. Introduction

This policy is BNLLLEN's official Conflict of Interest Policy and all Committee of Management Members, BNLLLEN members and stakeholders, service providers and employees (All associated parties – AAPs) must adhere to it at all times.

From time to time AAPs may find that the duties they perform as part of their role conflict with the duties they undertake or interests they have with other areas of their life, and sometimes they are the only ones aware of the conflict. This policy covers those situations and how to handle them.

### 1.1 Situations of conflict of interest

A conflict of interest can arise in the following situations:

- Financial interests
- Personal and family relationships between employees
- Personal and family relationships between staff members and students
- Acceptance of gifts or benefits
- Use of official facilities and equipment
- Use of official information
- Personal beliefs
- Public comment
- Multiple roles
- Outside employment
- Political participation.

### 1.2 If a conflict of interest arises

AAPs are to act honestly, with reasonable skill, in good faith and in the best interests of the BNLLLEN to avoid being in a position of conflict of interest.

Should any AAP have a conflict with an item at a CoM meeting, he/she is to bring the item to the attention of the Chair. The Chair is delegated to determine the next course of action.

However, if any AAP is required to participate in a project prior to the CoM meeting and has a conflict of interest, he/she is to contact the Chair or Executive Officer immediately and make them aware of the conflict ,and appropriate action will be taken.

## 2, Application of Policy

The successful application of this policy relies on all AAPs taking responsibility for their own behaviour and taking into consideration the framework provided in this policy.

It is the responsibility of all AAPs to familiarise themselves with the contents of this policy in relation to how it impacts on their responsibilities and to be aware that sanctions will be applied for breach of the policy.

## Conflict of Interest Disclosure Form

**Instructions:** Complete the following form and submit it to the Banyule/Nillumbik LLEN LCP Committee of Management. Should you have any questions concerning the information required by this form, consult the Executive Officer. If you require additional assistance, refer to the Banyule/Nillumbik LLEN LCP Committee of Management Chair.

**This form must be promptly updated if your response to any of the questions changes.**

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

**General Questions:** The following questions apply to your activities in the preceding calendar year and the current calendar year, up to and including the day that you make this disclosure.

Do you directly supervise or use the authority of your position to influence the hiring, salary, promotion, retention, or tenure or other employment benefits of a spouse or immediate family member?

Yes \_\_\_\_\_ No \_\_\_\_\_

Do you have knowledge of any arrangements between the organisation and an outside entity with which you, or a member of your family has financial interests?

Yes \_\_\_\_\_ No \_\_\_\_\_

Do you serve as an advisor, consultant, or in any other capacity with a public or private agency that grants money or decides policy for grants that could adversely affect the organisation's eligibility for funds from that agency?

Yes \_\_\_\_\_ No \_\_\_\_\_

Do you own, hold a management position, or participate in the day-to-day operations of a commercial enterprise that is closely related to your organisational responsibilities?

Yes \_\_\_\_\_ No \_\_\_\_\_

Did you engage in any outside activity for which you received remuneration that may be perceived as a conflict of interest with your current position? If yes, please attach details.

Yes \_\_\_\_\_ No \_\_\_\_\_

### Other Potential Conflicts

Are you aware of any potential conflicts of interest or conflicts of commitment with your position within this organisation that have not been disclosed in this reporting form that may be perceived as a conflict of interest with your current position? If yes, please provide a separate written statement identifying the potential conflicts.

Yes \_\_\_\_\_ No \_\_\_\_\_

### Declaration

In submitting this form, I confirm that the above information is true and complete to the best of my knowledge.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_

## Conflict of Interest Disclosure Form

1. Particulars of positions (volunteer or paid) held with organisations/associations (local, state, national bodies).

<i>Position</i>	<i>Organisation</i>	<i>Volunteer or Paid</i>

2. Particulars of activities undertaken (volunteer or paid) on behalf of BNLLLEN CoM or other bodies directly related to BNLLLEN.

<i>Activity</i>	<i>Volunteer or Paid</i>

3. Particulars of professional positions held with any organisations.

<i>Position</i>	<i>Organisation</i>

4. Any other position/situation held which may create potential for conflict of interest.

<i>Position</i>	<i>Organisation</i>

Signed: .....

Dated: .....

Any changes in relation to the above must be advised to the BNLLLEN Executive Officer in writing within 14 days of becoming aware of the change. The information provided in this document is privileged and confidential, intended only for use of the BNLLLEN CoM and is subject to the BNLLLEN Privacy Policy.

# RISK MANAGEMENT POLICY

## 1. Introduction

The Banyule/Nilumbik LLEN (BNLLEN) will develop an organisational culture that optimises its ability to achieve our strategic objectives while ensuring appropriate management of risks.

The BNLLEN ensures that significant risks within the office are identified and appropriate strategies are in place to manage these.

## 2. Aims

The aim of the BNLLEN risk management policy is to:

- Protect personnel, assets and intellectual property
- Encourage better quality service delivery
- Minimise loss and insurance costs, and
- Improve contingency planning for dealing with risks and their impact.

## 3. Principles

The policy is based on the following principles:

- Risk management becomes part of day-to-day management
- Identifying risks and minimizing the impact
- Monitoring the BNLLEN strategic risk profile and implement a continuous improvement approach to risk management.

## 4. Day to day duties

CoM members are exposed to an amount of confidential information including business contracts and employment documents, which are to be regarded with complete discretion. All members and employees of the BNLLEN should be supported and care should be taken not to form allegiances with any factions.

## 5. Who is responsible?

As BNLLEN does not employ a person solely for this role, it is the responsibility of everyone to perform this duty. Every CoM member and employee is made aware of the Risk Management Policy through the induction.

If anyone has a suggestion to make or sees a problem, then it is to be brought to the attention of the Executive Officer for approval.

# FINANCE POLICY

## 1 Purchase of Goods and Services

The arrangements, to be followed by the BNLLLEN Committee of Management (CoM) and staff, in respect of purchasing goods and services for BNLLLEN are:

### 1.1 Less than \$500

- That value for money is achieved.

### 1.2 Between \$500 and \$5,000

- That two verbal quotes be obtained and diarised.

### 1.3 In excess of \$5,000

- That a written tender document is prepared and publicly advertised.
- That the Finance Standing Committee approval for acceptance of the tender is required. However, where in the opinion of the Finance Standing Committee, there is only one party that is appropriate and able to provide the required good or service, the Executive Officer (EO) or the CoM may override the requirements of this section of the Policy. Such action would require a CoM resolution (or CoM endorsement if initiated by the Executive).

## 2 Budget Approval

The EO generally develops the operating indicative budget each year in conjunction with the Finance Standing Committee.

The draft budget is distributed with the Finance Report to the CoM for approval.

## 3 Financial Reports

A financial report for the previous month is provided to members at each CoM meeting. This includes the indicative budget with year to date receipts and spending against the approved budget and a bank reconciliation.

The Treasurer presents all financial reports. The Treasurer may also provide other financial reports to the CoM when necessary.

## 4 Petty Cash

The petty cash float is the responsibility of the Office Manager who may authorise bona fide expenditure on emergency and low cost items of up to \$50 in value.

Transactions for more than \$50 require prior approval by the EO.

### 4.1 Petty cash claims

Requests for reimbursement should include:

- supporting receipts
- details of the expenditure
- amount of expenditure
- name and signature of requesting officer

### 4.2 Reimbursement of the float

The float for Petty Cash is \$200 and is reconciled by the Bookkeeper as required.

#### **4.3 Usage of debit card**

The debit card is the responsibility of the EO who is the only signatory. The debit card account will be reimbursed with an amount up to \$1000 to cover eventual purchases. To provide funds for the debit card account a transfer of funds needs to be approved by two signatories as required in the signing of cheques. Spending against the debit card will be in line with the purchase of goods and services policy.

### **5 Investment of Surplus Funds**

BNLLEN's investment strategy is to optimise interest income without risk. The Treasurer in consultation with the Finance Standing Committee will review this strategy from time to time.

### **6 Signatories**

Signatories for BNLLEN accounts are select members of the CoM, namely the Chair, the Treasurer, the Secretary and the Deputy Chair. Under the constitution all cheques require a primary signature and a counter signature by the EO or a member of the CoM as described above.

### **7 Auditor**

The CoM on recommendation by the Finance Standing Committee appoints the BNLLEN auditor each year.

## OCCUPATIONAL HEALTH AND SAFETY POLICY

The Banyule Nillumbik LLEN is committed to providing and maintaining a safe and healthy working environment for its employees, members, all of those with whom we work and anyone entering upon our premises or with connection to the organisation's operations.

In demonstrating Management's duty of care, we will make every reasonable effort to provide a working environment that minimises incidents of risk or personal injury, ill health or damage to property. This includes:

- Providing employees with appropriate training
- Providing safe equipment, work practices and systems of work
- Regular consultation on health and safety issues
- Provision of the St John Ambulance Australia First Aid resource on site

A safe working culture is the responsibility of everyone and this can be best achieved through cooperative efforts of employees. A safe culture will be reinforced through:

- Continually identifying, assessing and controlling possible risks to the health and safety of people that may arise in the workplace
- The provision of information concerning such risks and the promotion, instruction, training and supervision of employees to ensure safe work practices
- Giving employees and customers the opportunity to participate in health and safety decisions that affect them

Whilst the Executive Officer has primary responsibility for Occupational Health and Safety, all employees are expected to fully accept responsibility for their own safety and for the safety of those with whom they work.

In the interests of maintaining safety, members, those with whom we work, contractors, their employees and visitors are required to observe and comply with all health and safety standards and rules produced. This includes any safety signage or warnings, or instruction given by any company employee whilst on our premises.

# HARASSMENT FREE WORKPLACE POLICY

BNLLEN is committed to achieving and maintaining a workplace, which is free from all forms of harassment or bullying. BNLLEN aims to create an environment, which is productive and harmonious and where it is clear harassment is not tolerated.

## 1. Principles

The BNLLEN policy is based on the following principles:

- Management is responsible for ensuring the workplace is free of harassment
- People are valued, have dignity and treat each other with respect and sensitivity
- There is trust and effective communication
- Fostering standards of ethical behaviour and conduct that contribute to a productive and customer focused workplace
- Employees are to treat each other and all stakeholders fairly and with respect and sensitivity
- The policy is to be communicated to staff
- Prompt action will be taken if harassment occurs

## 2. What is Harassment?

Harassment is unwelcome or unreciprocated behaviour, which makes an employee, stakeholder, contractor, supplier or other person feel intimidated, offended, or belittled in the workplace. It can take place between:

- An employee and a manager or supervisor;
- Co-workers; or
- An employee and another person in the workplace, for example a stakeholder or student.

Harassment can occur in any location where people are working including those where services are delivered outside the usual place of work, such as a customer's home.

For the purpose of this policy harassment includes bullying. Bullying includes physical abuse and psychological abuse. Violent behaviour is a highly objectionable form of bullying however it can be manifested in more subtle ways that impact on the health of the victims of bullying,

Workplace harassment usually consists of a pattern of unwelcome behaviour, however it can also consist of just one act where this is of a serious nature. There is no requirement that a harasser intends to offend or harm in order for it to be unlawful. All that is required under the law is that a reasonable person would consider that the person being harassed would be offended, humiliated or intimidated by the behavior in question.

## 3. Examples of harassment

If unwelcomed or unreciprocated, the following behaviours could be examples of harassment:

- Physical contact or requests for sexual favours;
- Persistent following (stalking);
- Suggestive looks implying a sexual interest;
- Persistent verbal abuse or threats; or
- Persistently disrupting an individual's work, work space, equipment or interfering with their personal property.

Other forms of harassment whether directed at a person or a group can include:

- Jokes, derogatory or dismissive comments;
- Gestures that are insulting or belittling;
- Circulating, displaying written or pictorial material that is offensive or belittling

#### **4. Harassment and the law**

Harassment is a form of unlawful discrimination. Under the Equal Opportunity Act 1995 (VIC), it is unlawful to discriminate in employment or in providing a service on the grounds of:

- A person's sex (including pregnancy), race, disability, marital status, age, homosexuality, transgender or carer's responsibilities;
- A person's presumed or perceived disability, homosexuality, transgender or carer's responsibilities;
- The sex (including pregnancy), race, disability, marital status, age, homosexuality or transgender of their associate or relative; and
- The perceived or presumed disability, homosexuality or transgender of their associate or relative.
- Harassment based on sex, race, or disability is also unlawful under Commonwealth laws and harassment such as physical assault can be a criminal offence.

#### **5. What will BNLLLEN do?**

BNLLLEN has a legal responsibility to take reasonable steps to prevent harassment and bullying from happening in the workplace. This involves educating employees about harassment and bullying, putting in place this policy, implementing dispute resolution procedures and ensuring compliance by all in the workplace.

If you make a complaint of workplace harassment or bullying it will be taken very seriously and will be dealt with sympathetically and in a confidential manner.

The complaint will be investigated and, if found to be proved, appropriate warnings or other disciplinary action will be taken against the harasser. In serious cases the harasser may be dismissed. Employees will not be victimised or treated unfairly for making a complaint.

If you are not satisfied with the way in which BNLLLEN has dealt with your complaint, you can seek further advice from an outside agency such as the Equal Opportunity Commission.

#### **6. Management role**

The prevention of harassment is the responsibility of the Executive Officer who is responsible for taking appropriate action in circumstances where s/he becomes aware of harassment without a complaint being lodged. If a person approaches with a complaint about harassment or bullying, the Executive Officer must take appropriate steps to resolve it. If this is not possible or inappropriate, then the Chair must be informed.

#### **7. Employees**

Employees have a responsibility to ensure their behaviour:

- Meets an acceptable standard; and
- Contributes to a productive workplace environment.

Employees should be aware that they can be held legally responsible for unlawful acts. Employees who aid, abet or encourage other persons to harass or bully can also be held legally liable.

Any improper behaviour observed should be reported to the Executive Officer or Chair of BNLLLEN.

Employees who experience harassment should ensure they take action, which can include:

- Seeking advice and support through BNLLLEN's dispute resolution procedures established to deal with employee work-related concerns and grievances;
- Telling the person concerned to stop the offending behaviour (the employee may seek support before taking this step); it is important to say these things to the harasser as the harasser otherwise may interpret your silence as consent. However if you would feel uncomfortable saying these things to the harasser, this will not mean that you don't have a valid form; and/or
- Lodging a complaint through BNLLLEN's dispute resolution procedures.
- Keep your complaint confidential – this will avoid gossip and the possibility of defamation proceedings against you or the company.

An employee with a complaint of harassment is to be made aware of:

- Appropriate internal processes, which could be part of through BNLLLEN's dispute resolution policy;
- Appropriate external avenues for dealing with the issue, for example the Equal Opportunity Commission; and
- Their entitlement to seek the advice and support of their union and be represented by the union.

## **PRIVACY POLICY**

BNLLEN staff are committed to full compliance with its obligations under the Information Privacy Act 2000 and the Health Records Act 2001. BNLLEN will comply with the Information Privacy Principles and the Health Privacy Principles contained in these Acts. This Privacy Policy explains some of these Principles and how they will apply.

### **What is Personal and Health Information?**

This Policy applies to both personal and health information held by BNLLEN.

Personal Information means information or an opinion, whether true or not, that is recorded in any form, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. This includes all paper and electronic records, photographs and video recordings.

Health Information is defined as information or an opinion about the physical, mental or psychological health of an individual, a disability, an individual's expressed wishes for future provision of health services or any health service provided to an individual, or other information collected to provide or in providing a health service. This includes information or opinion about a person's health status, medical history, fitness levels and vital statistics, such as height and weight.

Sensitive information is defined as information relating to a person's racial or ethnic origin, political views, religious beliefs, sexual preferences, and trade union or other professional or trade association membership, or criminal record.

Staff is defined as someone who carries out a duty on behalf of the BNLLEN, paid or unpaid. Information provided to BNLLEN through job applications is also considered personal information.

### **What information will BNLLEN collect?**

BNLLEN will only collect personal and health information that is necessary for its functions and activities and in doing so will use lawful and fair means. BNLLEN will only collect sensitive information where consent has been given or otherwise as permitted by law. If it is reasonable and practicable to do so, BNLLEN will collect personal and health information direct from the individual. When doing so, BNLLEN will inform the individual of the purpose/s for which the information is collected. If BNLLEN collects personal and health information about an individual from someone else, it will take reasonable steps to make the individual aware of these matters. Individuals will have the option of not identifying themselves when supplying information or entering into transactions with BNLLEN wherever it is lawful and practicable.

### **Use and Disclosure of Personal Information**

BNLLEN will only use or disclose personal and health information for the purpose for which it was collected. BNLLEN staff will treat personal and health information confidentially. If INLLEN needs to share information for any other purpose than for which it was collected, agreement will be sought before doing so (unless otherwise required by law).

Personal information may be collected for a range of purposes including:

- Collating contact details
- Developing membership categories
- Resource and planning for partnership projects and associated activities

- Developing newsletters
- Assessing employment suitability
- Administering the individuals employment or contracts
- For insurance purposes
- When required for general administration duties and statutory functions

## Website

The BNLEN website does not collect personally identifiable information. If you choose to provide personal information via email we will only use this information for the purpose for which you have provided it.

External sites that are linked to or from the BNLEN website are not under BNLEN control and users are advised to review any relevant additional private statements. Users should note the inherent risks associated with transmission via the Internet.

## Management and Security of Personal Information

All collected personal information is stored in a secure manner by the BNLEN. BNLEN will also maintain operational policies and procedures to protect personal and health information from misuse and loss and from unauthorized modification or disclosure. BNLEN will destroy or de-identify personal and health information if it is no longer needed for any purpose or as required by law.

## What rights do individuals have to access or correct information?

Individuals have a right to seek access to their personal and health information and make corrections. Access and correction will be handled under the Victorian Freedom of Information Act. Some limits may apply where particular circumstances prevent BNLEN from releasing information. If any limits apply this will be explained.

If personal and health information is inaccurate, incomplete, misleading or out of date, the individual may request BNLEN to correct this information. Personal and health information cannot be removed from records, but a correcting statement may be added. Requests for access and/or correction of personal and health information, should be made to BNLEN's Executive Officer on (03) 9439 6522.

## What if third party contractors deliver BNLEN services?

BNLEN does contract out some of its functions to third party contractors. All third party contractors will be required to comply with the Acts in all respects.

## Complaints

Complaints in relation to privacy and confidentiality will be handled by BNLEN's Executive Officer. If an individual is not satisfied with the way in which BNLEN handles information or deals with a complaint, a formal complaint can be made to the relevant Commissioner.

Victorian Privacy Commissioner

(03) 8619 8719

[www.privacy.vic.gov.au](http://www.privacy.vic.gov.au)

Victorian Health Services Commissioner

(03) 8601 5200

[www.health.vic.gov.au/hsc](http://www.health.vic.gov.au/hsc)

# PUBLIC RELATIONS POLICY

The Banyule Nillumbik LLEN is committed to ensuring that BNLLLEN's goals, strategies, activities and achievements in improving education, training and employment outcomes for young people are promoted and communicated within the local government areas of Banyule and Nillumbik.

## 1. Principles

- BNLLLEN has diverse stakeholders including the target audience of:
  - BNLLLEN members
  - Community Stakeholders
  - Young people
  - Parents
  - Government and other policy and decision makers.
- To achieve its goal BNLLLEN undertakes and supports diverse activities:
  - Initiating and supporting projects to improve outcomes for young people
  - Advocating and lobbying on behalf of young people
  - Supporting networks & promoting partnerships among stakeholders
  - Conducting or funding research/action research
  - Identifying and supporting special groups.
- BNLLLEN's promotional strategy must:
  - Recognise this diversity in targeting stakeholders
  - Keep members informed and involved in the activities of the organisation
  - Strategically identify issues to be promoted
  - Strategically identify special interest groups to be targeted
  - Ensure Committee of Management represent the organisation at appropriate functions and meetings.
- BNLLLEN's Public Relations Strategy will be closely aligned to the purpose of the BNLLLEN to:
  - "create a seamless education, training and employment system for young people, which is inclusive, responsive and innovative."
  - Improve education, training and employment outcomes for young people
  - Bring together the expertise and experience of local stakeholders to develop and foster sustainable partnerships, processes and programs.
- BNLLLEN will adopt appropriate publication and promotional strategies to communicate with its target audience around selected issues incorporating approaches such as:
  - Publication of regular newsletters
  - Development of the BNLLLEN website
  - Support for Statewide initiatives such as VETiS, MIPS, VCAL, SBNAs,
  - Promotion of projects and achievements
  - Dissemination of information through mailing lists and email lists
  - Regular media releases particularly to the local newspapers
  - Relationship with local community radio through sponsor ads, regular interviews,

- Articles in council newsletters,
- Information in school newsletters
- Appropriate representation of BNLLLEN at functions and meetings.
- Press release /media protocols
  - The media strategy is to ensure that press releases are sent to local media organisations
  - Press releases written or distributed by BNLLLEN or contacts with other media must be authorised by the Executive Officer.
  - Media enquiries to the organisation should be directed to the Executive Officer.

# SPONSORSHIP / IN KIND SUPPORT POLICY

## 1. Introduction

Sponsorship/in kind support is the commercial support, financial and/or non-financial, given by an organisation in return for public acknowledgment of their support.

## 2. Sponsorship Objectives

The objectives of sponsorship are:

- That sponsorship provides a benefit to the community by way of enabling a higher quality of service to BNLLLEN members and by improved retention of 15-24 year olds in education, training or employment.
- That sponsorship provides an appropriate vehicle for the sponsor to gain BNLLLEN acknowledgement of their support.
- That sponsorship does not compromise the integrity and image of the BNLLLEN.
- That BNLLLEN as an organisation gains either commercial benefit, in kind support or an increased profile through the sponsorship arrangements.

## 3. Responsibility Structure

- There is one level of responsibility: All activities are a Committee of Management responsibility. The Committee of Management may delegate authority to enter into sponsorship arrangements to the Executive Officer, within the bounds of the objectives and guidelines contained in this document.

## 4. Operational Parameters for Sponsorship Arrangements

### 4.1 Types of Sponsorship Arrangements

There are 5 types of sponsorship arrangements that can be undertaken.

- A Sole Sponsor with naming rights to an event (Eg xcompany/BNLLLEN FX Competition).
- A Special Event Sponsor responsible for an activity and its resultant costs.
- An In-Kind sponsor who provides material/services rather than dollar amounts.
- An Underwriting Sponsor who guarantees that that sponsor will fund any losses on an activity.
- An Endorsement Sponsor that lend their name and perhaps some resources to an activity.

### 4.2 Range of Acceptable Benefits offered to sponsor

- Sponsor's Logo/captions on literature.
- Acknowledgement of sponsor in publications/mailouts etc.
- Article in BNLLLEN Newsletter, "BlendiN".
- Sponsor's Advertisements in registrant's papers.
- Acknowledgement of sponsor in Exhibitions.
- Registrant's listing.
- Registrations/social events.

# EQUAL EMPLOYMENT OPPORTUNITY POLICY

## 1. Introduction

BNLLEN is committed to the principle that 'Everyone has the right to a fair go' and has developed this policy on equal opportunity and the role of management.

## 2. Everyone has the right to a fair go

BNLLEN is an equal opportunity employer. All employees are treated on their merits, without regard to race, age, sex, relationship status or any other factor not applicable to the position. Employees are valued according to how well they perform their duties, and on their ability to maintain BNLLEN standards of service.

BNLLEN believes that all employees should be able to work in an environment free of discrimination, victimisation, sexual harassment and vilification. We consider these behaviours unacceptable and they will not be tolerated under any circumstances.

The Victorian Equal Opportunity Act 1995 and federal anti-discrimination laws protect the right to a fair go and it is against the law for someone to treat you unfairly (discriminate) or harass (hassle or pick on) you because of your actual or assumed:

- Age
- Breastfeeding
- Carer status
- Disability/impairment
- Gender identity
- Industrial activity
- Lawful sexual activity
- Marital status
- Parental status
- Physical features
- Political belief or activity
- Pregnancy
- Race
- Religious belief or activity
- Sex
- Sexual orientation
- Personal association with someone who has, or is assumed to have, one of these personal characteristics.

Victimisation because a person has made a complaint, agreed to be a witness or has had a complaint made against them is against the law. Sexual harassment is prohibited under both state legislation and the federal Sex Discrimination Act 1984.

Vilification on the basis of a person's race, religion, gender identity or sexuality is also unlawful.

Federal anti-discrimination legislation prohibits discrimination on the basis on criminal record, medical record or social origin.

### **3. Vicarious liability**

Under state anti-discrimination law, BNLLLEN can be liable for discrimination, sexual harassment and/or vilification, which happen in the workplace, unless we can show we have taken reasonable steps to prevent it.

The Executive Officer must therefore ensure that all employees are treated fairly and are not subject to any of these behaviours. S/he must also ensure that people who make complaints, or who are witnesses, are not victimised in any way.

Any reports of discrimination, victimisation, sexual harassment and vilification will be treated seriously and investigated promptly, confidentially and impartially.

### **4. What is discrimination?**

Discrimination occurs when someone is treated unfavourably because of an attribute under the Act. Discrimination may involve:

- Making offensive jokes about another worker's racial or ethnic background, sex, sexual preference, age or disability.
- Expressing negative stereotypes about particular groups eg "married women shouldn't be working".
- Judging someone on their political or religious beliefs rather than their work performance.
- Using selection processes based on irrelevant attributes such as age, race or disability rather than on skills or merit.

### **5. What is sexual harassment?**

Sexual harassment is any form of unwelcome sexual attention. It includes unwelcome touching or other physical contact, remarks with sexual connotations, smutty jokes, requests for sex, or the display of offensive materials such as pictures, poster or computer graphics.

Sexual harassment is against the law wherever and whenever it occurs. BNLLLEN will not tolerate sexual harassment in the workplace or in any work-related context such as conferences, work functions and business trips.

Sexual harassment has nothing to do with mutual attraction. Such friendships are a private matter.

Sexual harassment can be a single incident – it depends on the circumstances. Obviously some actions or remarks are so offensive that they constitute sexual harassment in themselves, even if they are not repeated. Other single incidents, such as unwanted invitation out, may not constitute harassment if they are not repeated and are polite and respectful.

There is no onus on the person being harassed to say he/she finds the conduct objectionable. Many people find it difficult to speak up. All employees are responsible for their own behaviour. If you think the behaviour may offend, then don't do it!

### **6. What is vilification?**

Vilification is behaviour that:

- happens in a public place; and
- incites others to hate, to have serious contempt for or to severely ridicule individuals or groups because of their race, religion, sexuality or gender identity.

Workplaces can be considered public places. This means that any conduct which can possibly be observed by the public or any sort of communication either verbal or in writing to the public can be considered to have happened in a public place.

Some examples of vilification are:

- Hate graffiti written on work toilet walls, which incites hatred because of race, religion, sexuality or gender identity.
- Wearing of symbols, badges or clothing in the workplace with slogans that incite hatred.
- An employee abusing a person because of their race, religion, sexuality or gender identity in the workplace which encourages others to hate people of that race, religion, sexuality or gender identity.

## **7. Compliance**

Staff will be expected to act in a manner consistent with the principles and the spirit of the Equal Employment Opportunity Act in all their dealings with their colleagues, Committee of Management, members and associates of the BNLLN including members of the general public and in particular, young people

## **8. What to do if you are discriminated against, sexually harassed or vilified?**

There are a number of options. Choose the course of action you feel most comfortable with. Don't ignore discrimination, sexual harassment or vilification, thinking it will go away – often it just gets worse.

- All matters related to Equal Employment Opportunity are to be referred to the Executive Officer who is required to advise Governance & Compliance Standing Committee or contact the Chair, BNLLN
- Contact your trade union for advice.
- Call the Equal Opportunity Commission to obtain further information about making a complaint:

### **Equal Opportunity Commission Victoria**

Level 3, 380 Lonsdale Street  
Melbourne Vic 3000

Tel (03) 9271 7111  
Hotline (03) 9821 7100  
TTY (03) 9281 7110

Internet site address: <http://www.eoc.vic.gov.au/>

## **COMMITTEE OF MANAGEMENT CONFLICT OF INTEREST POLICY**

### **1. Introduction**

This policy is the BNLLLEN's official Conflict of Interest Policy as a LLEN and a Local Community Partnership (LCP). All members of the BNLLLEN/LCP Committee of Management, BNLLLEN members and stakeholders, service providers and employees (all associated parties – AAPs) must adhere to it at all times.

From time to time AAPs may find that the duties they perform as part of their role conflict with the duties they undertake or interests they have with other areas of their life, and sometimes they are the only ones aware of the conflict. This policy covers those situations and how to handle them.

#### **1.1 Duty to Act Responsibly**

All AAPs in the discharge of his or her duties, must act honestly, in good faith, with care and diligence and in the best interest of the BNLLLEN and the LCP. A Committee of Management member will be mindful of his or her responsibilities to, and behaviour towards, other members of the Committee of Management. They will also be diligent in their responsibilities to their constituent groups.

#### **1.2 Situations of Conflict of Interest**

A conflict of interest can arise in the following situations:

- Financial interests
- Organisational representation
- Personal and family relationships between CoM members and employees
- Membership on other Committees of Management or Boards
- Acceptance of gifts or benefits
- Use of official facilities and equipment
- Use of official information
- Personal beliefs
- Public comment

#### **1.3 Duty to Avoid Conflict of Interest**

A Committee of Management Member must not allow a conflict of interest to compromise his or her position on the Committee of Management.

- If a Member is aware of an actual or potential conflict of interest relating to any matter for consideration by the BNLLLEN/LCP Committee of Management, the Member will declare that actual or potential conflict of interest at the commencement of the meeting and have such actual or potential conflict noted and have a statement included in the CoM meeting minutes.

- If during the meeting the Member becomes aware of an actual or potential conflict of interest, relating to them or any other member of the BNLLLEN/LCP Committee of Management the Member will immediately notify the chairperson of the actual or potential conflict and have a statement included in the meeting minutes.
- The Chair (with advice from the Committee of Management if the Chair so desires), will determine if the actual or potential conflict of interest is of a nature to require the exclusion of the Member during debate and/or voting on the matter to which the conflict relates. The decision will be included in the Minutes of the meeting. The decision of the Chair will be final and binding on the member.
- If it is deemed by the Chair that the member be excluded from the debate and/or vote, the Member forthwith remove him or herself from the meeting and return when requested to do so by the Chair. These matters will be noted in the meeting minutes.

#### **1.4 Duty to Avoid Abuse of Position**

All AAPs must not use her or his position to advantage him or herself, or any organisation to which the member belongs.

#### **1.5 Duty to Not Improperly Use Information or Position**

All AAPs should not make improper use of information, acquired by virtue of his or her position on the BNLLLEN and LCP or any sub-group of the BNLLLEN or LCP, to gain a personal advantage or advantage for others or any organisation which the member belongs to, or to cause detriment to the BNLLLEN or the LCP.

#### **1.6 Contravention of the Code**

Any member of the CoM will bring any actual or apparent breach of these duties to the attention of the Chair, as soon as possible after the actual or apparent breach occurs.

Depending on the nature of the breach a Member may be asked to resign or may be removed by a vote of the members of the BNLLLEN/LCP CoM at a meeting convened for the purpose of considering the breach. The member shall be accorded procedural fairness and will have the principles of natural justice applied, in consideration of any breach or perceived breach of these provisions.

#### **1.7 Intellectual Property**

Intellectual property will vest in accordance with any contract prescription with the Australian Government, and if not specified it shall vest in the LCP. Committee of Management members will acquaint themselves with the contract provisions, in relation to intellectual property.