

# **Australian Lutheran World Service**

## **CODE OF CONDUCT**

**Approved 13 May 2014**

**Revised November 2019**

This document is consistent with the Lutheran Church of Australia's Standards of Ethical Behaviour (2016) and ACT Alliance Code of Conduct (October 2016).

---

## 1. Our Commitment

*As God's Chosen people, holy and dearly loved, clothe yourselves with compassion, kindness, humility, gentleness and patience... And over all these virtues put on love, which binds them in perfect unity. Colossians 3: 12-14*

At ALWS we are inspired by Christ's example and endeavour to model his behaviour as we work to serve others. Consistent with our core Christian values, at ALWS we strive to create an open, safe and trusting environment for carrying out our work. Our commitment to the highest standards of conduct is intrinsically linked to our Christian identity and Lutheran tradition. As described in the Lutheran Church of Australia's Standards of Ethical Behaviour, *'Love comes decisively to life every time the people of God gather.'*

We not only commit to promoting the highest standards of behaviour, but we work to prevent all forms of misconduct, including corruption, fraud, exploitation and abuse. We promote the safeguarding of all, with special regard for children and vulnerable adults, and we have a zero tolerance approach to sexual exploitation, abuse and harassment.

ALWS shares this commitment with the other members of the ACT 'Action by Churches Together' Alliance, as articulated in the ACT Alliance Code of Conduct, and on which this ALWS Code of Conduct is largely based.

Annex 1 provides definitions of key terms used in this policy document.

## 2. Purpose

The main purpose of the ALWS Code of Conduct is to describe our shared understanding of and commitment to professional standards of behaviour.

The Code assists us in demonstrating God's love and in putting into practice ALWS' core values by

- Outlining required standards of behaviour
- Guiding all personnel in exercising the highest ethical and professional standards
- Promoting greater accountability toward our partners, supporters, and the people with whom we work in our humanitarian and development programs.
- Protecting personnel as well as community members with whom we work from abuse or harm resulting from contact with ALWS.
- Preventing misconduct, including the following: all forms of exploitation and abuse, harassment, fraud and corruption, security breaches, and unethical business practices.

## 3. Scope

The ALWS Code of Conduct applies to all ALWS personnel. This includes ALWS staff, volunteers and Board members and also applies to temporary personnel such as consultants and volunteers who work in ALWS implemented or supported development and humanitarian programmes.

This Code of Conduct forms part of all consultant, employee, Board and volunteer engagement agreements and contracts. It also applies to interns, observers, and any other individuals working for or representing ALWS.

The Code outlines a range of commitments, starting with general ones which apply across circumstances, as well as more specific ones linked to particular types of misconduct.

The Code of Conduct applies during working and non-working hours, whether signatories are in Australia or overseas. All ALWS Personnel, regardless of their role, serve as representatives of the organisation. We recognise that our behaviour at any time or in any place can have consequences on the people we serve, our colleagues and our supporters, and could affect the reputation of our partners, the LCA and ALWS. Out of respect for others, we will take special care and exercise sound judgement in our personal and professional conduct.

In determining whether an activity or conduct is outside the provision of the Code, ALWS will consider the nature and circumstances of the activity; the person's position, duties and responsibilities; the consequences of the activity on the person's ability to fulfil their duties and responsibilities; and, the consequences of the activity on the people we seek to support, the LCA, ALWS, our colleagues, our supporters and the general public.

ALWS personnel will apply the spirit and principles of the ALWS Code of Conduct in its relationships with partners, supporters, fellow staff members and among the people it seeks to serve.

## **4. Implementing Our Code**

This Code of Conduct outlines the key responsibilities of all ALWS personnel in relation to respect for the welfare and rights of the people with whom we work, be it colleagues in the ALWS workplace, other partners in Australia or overseas.

All ALWS personnel will read, understand, agree to, sign and abide by the Code of Conduct.

The Code is a core element of screening and recruitment, induction, and annual processes including staff meetings, retreats, appraisals and work planning. We will keep the Code top of mind by reading it closely, participating in refreshers, and reflecting on how we put the commitments into practice, striving for continuous improvement.

### **4.1 Our Core Values and Behaviours**

To uphold the highest ethical and professional standards, and to demonstrate ALWS' values, I will:

- Act with integrity, honesty and in good faith, as we carry out our work.
- Treat others fairly and with dignity and respect, including the crisis affected communities we serve, showing them courtesy and cultural sensitivity.
- Respect and abide by Australian and international laws, and the laws of the country in which we are travelling or working.
- Positively represent ALWS, the ACT Alliance and other networks of which we are members.

- 
- Contribute to a work environment that is fair, equitable and free of any form of discrimination or harassment.
  - Uphold the ethical principles and requirements of the Australian Council for International Development (ACFID) Code of Conduct.
  - Be familiar with my rights and responsibilities as articulated in this Code and ALWS' Policies and Procedures.
  - Contribute to, and take ownership of, decisions that contribute toward the achievement of the mission and objectives of ALWS.
  - Where appropriate, consult and include those impacted in decision-making processes.
  - Respect the role and decisions of the ALWS Board and management.
  - Respect ALWS, its staff, partners and stakeholders by maintaining an appropriate level of confidentiality while working for ALWS, as outlined in the ALWS Open Information Policy.
  - Protect and safeguard any personal information collected from communities that could put them at risk.
  - Use Information and Communication Technology (ICT) for appropriate professional or private use, in ways that do not violate this Code of Conduct.

I will never:

- Consume, purchase, sell, possess or distribute illicit narcotic drugs.
- Visit bars, restaurants or other premises where minors are exposed sexually.
- Drive a vehicle when under the influence of alcohol or other substances.
- Drink alcohol or use any other substances in a way that affects my ability to carry out my role or affects the reputation of ALWS.
- Abuse, harass or discriminate in any form of media, including but not limited to instant messaging, social networking sites and email.
- Discriminate against, harass or abuse anyone, including based on age, gender, gender identity, race, colour, national or ethnic origin, descent, nationality, religious adherence, political persuasion, sex, sexual orientation, marital status, pregnancy, physical health, family responsibilities, indigeneity, disability, displacement, caste, poverty, class and socio-economic status or on any other grounds.

## **4.2 Child Safeguarding**

ALWS personnel are responsible for ensuring that children feel safe, are respected and listened to, and we do everything we can to promote their health and well-being.

We commit at all times to establishing and maintaining clear professional boundaries that serve to protect everyone from misunderstandings or a violation of the professional relationship.

To safeguard children, I will:

- Treat children with respect regardless of their gender, race, colour, language, nationality, religion, political or other beliefs, family background, economic status, physical or mental health, criminal background, or opinions, or those of their family members
- Not access or use information about children or their families for purposes outside of what they have been specifically requested to do by ALWS
- Not use language or behaviour towards children that is or may be considered to be inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- Not engage children under the age of 18 in any form of sexual intercourse or sexual activity, including paying for sexual services. Local age of consent and the mistaken belief in the age of a child is not a defence
- Ensure that another adult is present when working in the proximity of children
- Not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger
- Not sleep close to unsupervised children unless absolutely necessary, in which case they must obtain their supervisor's permission, and ensure that another adult is present if possible
- Use any computers, mobile phones, video cameras, cameras or social media appropriately, and never to exploit or harass children or access child exploitation material through any medium
- Not meet with or communicate with (including by email, phone, social media etc) any child associated with ALWS' work outside of what is required for my work with ALWS
- Not use physical punishment on children
- Not encourage or initiate physical contact with children
- Not consume alcohol or illicit drugs in the company of children, not offer them to children and not facilitate children's access to alcohol or illicit drugs
- Not show favouritism towards specific children such as the offering of gifts, special thanks, special treatment or special attention
- Not hire children for domestic or other labour which is inappropriate given their age and developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury
- Comply with all relevant Australian and local legislation, including labour laws in relation to child labour
- Immediately report concerns or allegations of child exploitation and abuse and policy non-compliance in accordance with appropriate procedures (see Child Safeguarding Reporting Procedure and the summary contact details below)
- Immediately disclose all charges, convictions and other outcomes of an offence, that relate to child exploitation and abuse, which occurred before or occurs during my association with ALWS.

These behaviours are not intended to interfere with normal family interactions such as in circumstances where ALWS staff visit a project area with their children or where ALWS' partner's local staff reside in the project area.

When photographing or filming a child or using children's images for work-related purposes, I will:

- Take care to ensure local traditions or restrictions for reproducing personal images are adhered to before photographing or filming a child
- Obtain informed consent from the child and parent or guardian of the child before photographing or filming a child. An explanation of how the photograph or film will be used will be provided,

- Ensure images are honest representations of the context and the facts
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form

The onus is on ALWS personnel to use common sense and avoid actions and behaviours that could be construed as child exploitation and abuse.

### 4.3 Sexual Exploitation, Abuse and Harassment

ALWS absolutely condemns sexual exploitation, abuse and harassment (SEAH).

To safeguard ALWS' personnel, partner personnel and those we seek to assist from SEAH, I will:

- Understand that sexual exploitation, abuse and harassment by personnel constitute acts of gross misconduct and are therefore grounds for termination of employment.
- Take all necessary and reasonable action to protect others from SEAH.
- Not accept, solicit or engage in the "buying" of, profiting from or exchange for sexual services, including sexual favours or forms of humiliating, degrading or exploitative behaviour.
- Never abuse a position to withhold development or humanitarian assistance or give preferential treatment in order to solicit sexual favours, gifts, payments of any kind, or advantage.
- Never engage in sexual relationships with members of crisis-affected populations since such relationships are based on inherently unequal power dynamics and undermine the credibility and integrity of humanitarian aid work.
- Encourage partner staff to inform his /her line manager when engaging in a long-term relationship with another staff member or a member of the community which is benefitting from a development or advocacy program supported by ALWS or another ACT Alliance member to ensure protection and prevent conflict of interest.

ALWS promotes, in consultation with its implementing partners, the integration of a gender-sensitive perspective into efforts to effectively prevent and respond to sexual abuse, exploitation and harassment.

### 4.4 Harassment

ALWS personnel recognise that, by virtue of their humanity, all people are to be respected and valued by others. ALWS does not tolerate any form of physical or psychological violation, in the workplace or in any other operational context, such as harassment (including sexual, gender and racial harassment), bullying and discrimination, that is, any **unwelcome comment or behaviour** that is offensive, demeaning, humiliating, derogatory, or any other inappropriate behaviour that fails to respect the dignity of an individual.

I will:

- Treat everyone with dignity and respect in the workplace. Speak with civility and kindness, listen carefully, and consider the wellbeing of others<sup>7</sup>.
- Never commit any form of harassment as it causes physical, sexual, psychological or emotional harm or suffering to individuals.
- Never engage in any behaviour, deliberate or otherwise, that makes the recipient feel persecuted, vulnerable and powerless.
- Understand what constitutes harassment, recognise early signs of sexual, gender, racial or other targeted forms of harassment and take swift action to prevent and resolve.
- Understand what constitutes bullying, empower staff that are affected by it, develop strategies for reducing and stopping it, and take necessary disciplinary action against those found to have committed an act or form of harassment.
- Never behave in a violent, harassing or discriminatory manner toward another person in the workplace or in the communities with whom ALWS works.

#### **4.5 Fraud, corruption and other unethical business practices**

At ALWS we commit to demonstrating financial and administrative integrity. We have a zero-tolerance approach to fraud and corruption, as per the ALWS Anti-Fraud and Corruption Policy.

ALWS personnel will never take advantage of their position within ALWS or society, or when working with communities, partners or other ALWS stakeholders.

To uphold this commitment, I will:

- Be transparent, accountable and honest in all work-related financial transactions, in alignment with ALWS policies.
- Follow transparent, accountable and honest practices when receiving cash donations from the public earmarked for humanitarian or development purposes.
- Ensure that financial and other resources are used solely for the intended purpose.
- Conduct all business in accordance with national and international laws and standards, including payment of compulsory State taxes and complying with applicable intellectual property laws.
- Declare any actual, perceived or potential conflicts of interests, in line with the Conflicts of Interest policy.
- Make only fair and truthful statements regarding ALWS, its employees and staff.
- Strive for the highest health, safety and environmental standards in all program work.
- Ensure, where possible, that goods and services purchased are produced and delivered under conditions that do not involve the abuse or exploitation of any persons and have the least negative impact on the environment.
- Foster a work environment where communities and staff can safely and confidentially raise and report all serious concerns about suspected fraud and corruption.

I will never:

- 
- Steal, misuse or misappropriate funds or property. This applies also to any other income generated such as any interest received/earned on the funds.
  - Engage in abusive transactions, forging of documents, money laundering, taking of commissions or influencing tender process for benefit or illegal activities.
  - Take part in activities that generate personal, organisational or collective profit such as buying or selling when such activities may affect or appear to affect ALWS' credibility or integrity.
  - Accept kickbacks, cuts or discounts for improper personal or organisational benefits.
  - Accept any gifts or other favours that may influence the performance of staff functions or duties. Gifts are defined as, but not limited to: services, travel, entertainment, material goods, among others. In order to respect national and local traditions and conventional hospitality, minor tokens and gifts can be accepted.
  - Use illegal labour, child labour or forced labour.
  - Use or distribute known unsafe products or supplies.
  - Knowingly support individuals or entities involved in illegal activities.
  - Deliberately destroy, falsify, alter or conceal evidence material to an investigation or make false statements to investigators in order to materially influence or impede investigations into corrupt, fraudulent, coercive or collusive allegations.

## 5. Reporting & Breaches of the Code

Violation of this Code of Conduct is a form of misconduct, will not be tolerated and may lead to disciplinary actions, dismissal or criminal prosecution.

Breaches of the Code of Conduct should be reported immediately to senior management or the Board, as appropriate, in line with the ALWS Complaints and other policies.

In upholding this Code, I will

- Disclose any convictions for criminal offences, which have occurred prior employment or occur during their employment with ALWS.
- Bring any potential issue, incident or abuse that I witness or am concerned about, that appears to breach this Code, to the attention of the Complaints Focal Point, the Executive Director (or if about the ED), to the Board.

ALWS has a responsibility to handle and respond to any allegations of misconduct it receives from its stakeholders about its personnel in line with its policies and related disciplinary measures. ALWS has established systems for investigating, recording and dealing with misconduct. A mechanism is in place where complaints will be investigated promptly, while maintaining discretion and confidentiality and protecting the rights of all individuals involved.

Disciplinary measures for failing to meet the requirements of the Code of Conduct are outlined in the ALWS People and Culture Policy.

Any ALWS personnel purposely making false accusations on any action by another ALWS personnel which is in breach of the Code of Conduct will be subject to disciplinary action at the discretion of ALWS Board or management (as applicable).

### Reporting Child Abuse or Exploitation or Code of Conduct non-compliance

The ALWS Child Safeguarding Reporting Procedure provides more detail on reporting concerns related to child abuse and exploitation. However, in summary, if:

- A) You have concerns that a child may have been abused or exploited or is at risk of abuse or exploitation by an ALWS personnel or personnel of an ALWS partner organisation, or
- B) You have concerns that an ALWS personnel or personnel of an ALWS partner organisation may not have followed the ALWS Safeguarding Code of Conduct. I.e. issues of policy non-compliance, but not child abuse.

Then:

- In Australia, immediately notify the police and within 24 hours notify the ALWS Executive Director (or if the ED is not available, the Child Safeguarding Focal Point, or if the report is about the ED, the ALWS Board Chair)
- If overseas, notify the director of the partner agency and within 24 hours notify the ALWS Executive Director (or Child Safeguarding Focal Point or ALWS Board Chair)

## **6. Our Responsibilities**

All ALWS personnel are responsible for

- Reading, agreeing to, signing and abiding by the Code of Conduct.
- Understanding what it means in concrete behavioural terms and how it applies to their context.
- Participating in induction, training and reflections on the Code.
- Putting the Code of Conduct into practice at work and outside of work.
- Contributing to a work environment that prevents misconduct and promotes the implementation of this Code of Conduct.
- Voicing any concern, without fear of reprisal or unfair treatment as articulated in the ALWS Complaints Policy.

We recognise that failing to disclose or withholding any information about any concerns, suspicions or reports of misconduct or breaches of this Code constitutes grounds for disciplinary procedures. We commit to cooperating when requested into alleged breaches of this Code.

In addition, ALWS Management is responsible for

- Leading engagement and sensitization on the Code, and tracking its implementation
- Inviting staff to share any concerns or recommendations on the Code, and responding to these
- Ensuring that all contractors and subcontractors employed by ALWS are briefed on, have signed the Code of Conduct prior to commencing any activity, and for monitoring contractors for compliance with the Code.

Management and Board are together responsible for

- Creating and nurturing an environment which promotes the Code and prevents misconduct.
- Building an open, safe and trusting environment for ALWS personnel, which enables concerns to be voiced, and protects those that do.
- Promoting safe and confidential reporting of serious concerns about suspected misconduct following ALWS' Complaints Policy.
- Responding to any concerns or reports of breaches, as outlined above and per ALWS policies.

The Board of ALWS is also responsible for

- Approving this Code, and
- Ensuring it is revised every three years or sooner to align with relevant legislation, in compliance with sector codes and standards, and to reflect ongoing learnings.

## 7. Related Documents

### Internal

*ALWS People and Culture Policy*

*ALWS Child Safeguarding Policy*

*ALWS Anti-Fraud and Corruption Policy*

*ALWS Conflicts of Interests Policy*

*ALWS Open Information Policy*

*ALWS Complaints Policy*

### External

Lutheran Church of Australia's Standards of Ethical Behaviour

<https://www.lca.org.au/departments/ministry-support/professional-standards/standards-ethical-behaviour/text/>

ACT Alliance Code of Conduct

<https://actalliance.org/documents/act-alliance-code-of-conduct/>

ACFID *Code of Conduct*, (Revised 1 January, 2019) available at <

<https://acfid.asn.au/code-of-conduct>>

*Core Humanitarian Standard on Quality and Accountability* (2014), available at

<https://corehumanitarianstandard.org/the-standard>

## 8. Review of the Code

The ALWS Code of Conduct will be periodically reviewed and revised at least once every three years.

## 9. Declaration

*I have read the ALWS Code of Conduct and I am committed to actively upholding these values and behaviours. I understand that failure to comply with or breaching this Code of Conduct may result in disciplinary action, including termination of employment or voluntary engagement, and may result in civil or criminal proceedings.*

Name:

Position:

**Date:**

Signature:

**Place:**

---

## Annex 1: Key terms and definitions

**Abuse of power:** Abuse of power includes any abusive behaviour (physical, psychological, sexual or emotional) by a person in a position of authority and trust against someone in a position of vulnerability and/or dependency.

**Bullying** is the repeated less favourable treatment of a person by another or others in the workplace, which may be considered unreasonable and inappropriate workplace practice. It includes behaviour that intimidates, offends, degrades or humiliates a worker.<sup>1</sup>

**Complainant:** The person making the complaint, including the alleged survivor of the sexual exploitation and abuse or another person who becomes aware of the wrongdoing.

**Discrimination:** Any distinction, exclusion or preference made on the basis of social status, race, ethnicity, colour, religion, gender, sexual orientation, age, marital status, national origin, political affiliation, pregnancy or potential pregnancy, or disability.

**Child:** A person under age 18<sup>2</sup>

**Corruption** is the abuse of entrusted power for private gain, encompassing corrupt practices in both the public and private sectors.<sup>3</sup> This includes, but is not limited to, soliciting, accepting or offering inducements or rewards which seek to unduly influence another.

**Fraud** Dishonestly obtaining a benefit, or causing a loss, by deception or other means.<sup>4</sup> These benefits can be tangible or intangible and fraudulent behaviours include, but are not limited to, theft and providing false information.

**Harassment:** Harassment means any unwelcome comment or behaviour that is offensive, demeaning, humiliating, derogatory, or any other inappropriate behaviour that fails to respect the dignity of an individual. Harassment can be **committed by** or **against** any member of the community with whom we work, partners, employee, vendor or other individual visiting or doing business with an agency (see definition of sexual harassment further below).

**Gender based violence (GBV):** Any harm that is perpetrated against a person's will; that has a negative impact on the physical or psychological health, development, and identity of the person; and that is the result of gendered power inequities that exploit distinctions between males and females, among males and among females. Although not exclusive to women and girls, GBV principally affects them across all cultures. Violence may be physical, sexual, psychological, economic, or sociocultural.<sup>5</sup> Gender-based violence may manifest in numerous ways: domestic violence, battering, rape and marital rape, female genital mutilation, torture, trafficking, and forced prostitution, hostility towards homosexuals, transsexuals and transvestites dowry-related violence, marriage and in certain cases, violence perpetrated or condoned by the state.

---

<sup>1</sup> Queensland Government Department of Workplace Health and Safety

<sup>2</sup> In compliance with the definition in the Convention for the Rights of the Child

<sup>3</sup> Transparency International

<sup>4</sup> Commonwealth Fraud Control Guidelines 2011

<sup>5</sup> Ward, Jeanne. (2002). If Not Now, When? Addressing Gender-Based Violence in Refugee, Internally Displaced and Post-Conflict Settings. New York: The Reproductive Health in Conflict Consortium.

---

**Sexual abuse** means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions<sup>6</sup>.

**Sexual exploitation:** Sexual exploitation means any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, sexually or politically from the sexual exploitation of another<sup>7</sup>.

In these situations, the potential victim believes she/he has no other choice than to comply; this is not consent and it is exploitation. Some examples include, but are not limited to:

- Humanitarian/development worker demanding (or accepting) sex in exchange for material assistance, favours, or privileges.
- Teacher insisting on (or accepting) sex in exchange for passing grade or admission to class.
- Refugee leader demanding (or accepting) sex in exchange for favours or privileges.
- Security worker insisting on (or accepting) sex in exchange for safe passage.
- Driver demanding (or accepting) sex to give a female person a seat in the vehicle.

Exploitation is using one's position of authority, influence or control over resources, to pressure, force or manipulate someone to do something against their will or unknowingly, by threatening them with negative repercussions such as withholding project assistance, not approving an employee's work support requests, threatening to make false claims about an employee in public, etc<sup>8</sup>.

**Sexual harassment:** Sexual harassment means any unwelcome sexual advance, comment, expressed or implied sexual demand, touch, joke, gesture, or any other communication or conduct of a sexual nature, whether verbal, written or visual, by any person to another individual within the scope of work. Sexual harassment may be directed at members of the same or opposite sex and includes harassment based on sexual orientation. Sexual harassment can occur between any one or more individuals, employee or beneficiary, regardless of their work relationship<sup>9</sup>.

**Subject of the complaint (SOC):** The person alleged to have perpetrated the misconduct in the complaint<sup>10</sup>.

**Survivor or victim** – the person who is, or has been, sexually exploited or abused. This term [survivor] implies strength, resilience and the capacity to survive<sup>11</sup>.

**Protection:** Ensuring that individual basic human rights, welfare and physical security are recognised, safeguarded and protected in accordance with international standards.

**Workplace violence:** Any incident in which a person is abused, threatened or assaulted in circumstances relating to their work. These behaviors would originate from customers, co-workers at any level of the organization. This definition would include all forms of harassment, bullying, intimidation, physical threats/assaults, robbery and other intrusive behaviors<sup>12</sup>.

---

<sup>6</sup> UN Secretary-General's Bulletin on protection from sexual exploitation and abuse (PSEA) (ST/SGB/2003/13)

<sup>7</sup> UN Secretary-General's Bulletin on protection from sexual exploitation and abuse (PSEA) (ST/SGB/2003/13)

<sup>8</sup> ACT Alliance Code of Conduct

<sup>9</sup> ACT Alliance Code of Conduct

<sup>10</sup> Building Safer Organisations Guidelines, Humanitarian Accountability Partnership

<sup>11</sup> Building Safer Organisations Guidelines, Humanitarian Accountability Partnership

<sup>12</sup> International Labour Organization