



POLICY STANDARD 17

CODE OF CONDUCT

Objective

The intention of this policy is to:

- Give guidance to all staff on the standards of conduct required by Pablos.
- Describe the consequences of breaches of conduct.
- Explain the rights of staff.

The policy is designed to ensure that Pablos operates efficiently and effectively and that staff team are treated fairly and equitably. It is an effort to explain Pablos position clearly so that disciplinary action does not come as a surprise to staff.

The Standards used apply to all individuals working for Pablos. This Code of Conduct is the foundation document supported by Pablos Committee.

Treat everyone fairly and with respect

You must treat everyone with respect, be courteous and contribute to the smooth functioning of our workplace by:

- not discriminating against anyone
- not harassing, bullying or otherwise intimidating artists or staff
- respecting the cultural background of artists in the studio and colleagues
- having proper regard for the safety of others
- avoiding behaviour that may endanger or cause distress to artists or staff

The Staff are expected to act honestly, conscientiously, reasonably and in good faith at all times having regard to their responsibilities, the interests of Pablos and the welfare of our artists. Staff should respect the privacy of individuals and use confidential information only for the purposes for which it was intended. Be professional and responsive.

Transparency

We believe in open and effective communication of process, decisions and results.

Dual Relationships

The Staff have an obligation to Pablos to:

- Carry out their duties in an efficient and competent manner, and maintain specified standards of performance.
- Members should always maintain the artist/staff relationship on a professional basis.
- A Member should not engage in a dual relationship with artists. A dual relationship occurs when a staff member and artist engage in a separate and/or distinct relationship from that in the studio. Some examples of dual relationship are:

- engaging in a close personal relationship with an artist;
- borrowing money from an artist;

Members must ensure that any relationship they have with an artist after they leave Pablos is not exploitative.

Breaches of the Code of Conduct

Misconduct involves contravention of the above obligations. If established, misconduct may lead to a reprimand and warning. Serious misconduct, if established, will usually lead to summary dismissal, that is, dismissal without notice.

Serious misconduct is behaviour which undermines the contractual relationship between employee and employer, and/or threatens the wellbeing of the organisation, or its staff and/or artists. Serious misconduct includes, but is not confined to, the examples below:

- Assaulting or threatening to assault any employee, artist, or visitor on Pablos premises.
- Behaving in a manner causing safety risks to artists or staff, such as smoking in areas specifically designated as hazardous or unauthorised use of fire protection or safety.
- Engaging in sexual intimacy with an artist.
- Being affected by alcohol or non-prescription drugs while at work.
- Deliberately or recklessly acting, or failing to act, in a manner resulting in serious damage to Pablos property.
- Repeatedly contravening the Code of Conduct.

Disciplinary procedures

Formal disciplinary action is not taken lightly. Pablos experience has been that nearly all staff perform well, conduct themselves reasonably, and overcome minor problems without the need for formal discipline. Initially, problems are dealt with in the expectation that staff will give of their best once a deficiency is pointed out and that any difficulties can be overcome at the workplace level.

Where Pablos has cause to believe that a satisfactory standard of performance has not been reached and maintained, or that the code of conduct has otherwise been breached, formal disciplinary procedures are likely to be invoked. For staff the disciplinary body is the Director and for the Director it is the Committee.

The Employment Court has developed some important principles as to what constitutes procedural fairness in disciplinary procedures and there are three main requirements:

- a) An employee must receive notice of the specific allegation of misconduct and of the likely consequences should the allegation be established;
- b) There must be a real opportunity for the employee to explain or refute the allegation;
- c) There must be proper and unbiased consideration of the explanation.

Unless a matter is so serious as to warrant instant dismissal, staff are entitled to be warned about disciplinary breaches and told of the manner in which their performance or conduct must improve.

Warnings may be given orally or in writing but Pablos ordinarily confirms formal warnings in writing. It is usually appropriate to give at least two warnings although some circumstances may call for one final warning.

Any formal warning will include:

- a) A statement of the specific problem.
- b) Pablos standard or policy breached.
- c) The corrective action required.
- d) The period within which the corrective action must be taken.
- e) Reference to the meeting(s) with the staff member and explanation given by them.
- f) Pablos decision.
- g) The consequences of failure to take the required corrective action or any further breach.
- h) Reference to any prior warnings.

Suspension

Pablos may need to insist that a staff member not remain at work while the matter of concern is being investigated, e.g. where safety is involved. Unless the relevant contract of employment provides for suspension without pay, any suspension will be on full pay.

In the case of dismissal, Pablos decision, and the reasons for it, will be confirmed in writing to the staff member before the dismissal is effected.

Rights of staff in cases of disciplinary action

Where Pablos institutes formal disciplinary action and conducts interviews with the staff member for that purpose, the staff member is entitled to bring a friend, a union representative or other person to any such meeting.

ACKNOWLEDGEMENT OF RECEIPT OF PABLOS STANDARDS OF INTEGRITY AND CONDUCT

Please print, sign and return the below declaration to the administrator

To: Pablos Art Studios

I have received, read and understood Pablos Art Studio's Standards of Integrity and Conduct. I have had the opportunity to ask questions related to the Pablos Art Studio's Standards of Integrity and Conduct in a session with the director which was held on _____.

Name: _____ Signed: _____

Position: _____ Date: ____/____/____