



Oaktree

Representative Code of Conduct

THE OAKTREE FOUNDATION AUSTRALIA

Approved Date 4 April 2020	Approved By The Board
Next Review Date 4 April 2023	Policy Owner Legal Team

1. Purpose

The aim of the Representative Code of Conduct ('the Code') is to reflect Oaktree's belief that human rights are for everyone, regardless of religion, race, ethnicity, class, caste, gender or other characteristics. This Code aims to ensure that all Representatives act in line with these principles.

All Representatives of Oaktree must observe the highest possible standards of behaviour, ethics and business conduct. This Code sets standards and values that Oaktree commits to maintain. Oaktree and its Representatives are all responsible for their actions and this Code will provide Representatives with a practical guide as to what they can expect from Oaktree and what is required of all Representatives.

Oaktree complies with relevant legislations and meets best practice standards for employee and volunteer involvement.

2. Application

The Code complies with the ACFID Code of Conduct, the principles and commitments of which aim to contribute to quality development, humanitarian outcomes, and stakeholder trust.

2.1 Who does this Code of Conduct apply to?

The Representative Code of Conduct applies to Oaktree Representatives.

Representatives is inclusive of:

- a) All volunteers, employees and team leaders, including interns and work experience students;
- b) All contractors (e.g. consultants), engaged to deliver services directly to volunteers or children; and
- c) All board members; at all times, both during and outside normal working hours, when they are representing Oaktree

2.2 When does this Code of Conduct apply?

The Code applies to any situation where there is a connection with one's work as an Oaktree Representative or where one's behaviour impacts or has the potential to impact Oaktree. The Code applies to people when representing Oaktree and as such, it can apply to both during and outside regular working or volunteering hours.

3. Expectations of Representatives

Oaktree expects volunteers to be familiar with the following responsibilities and to perform this role to the best of their ability and in their fullest capacity.

3.1 Act with integrity and honesty

Oaktree Representatives have an obligation to be fair and honest in dealings with individuals and organisations. As such, they must not:

- a) Influence any person in an inappropriate way to try and obtain any advantages or favours,
- b) Place themselves under any financial or other obligation that may impact the performance of their duties as Representatives, and
- c) Request or accept any gifts or benefits which might, either directly or indirectly, compromise or influence them in their role.
- d) Commit to or carry out any employment, work or volunteer role where a conflict of interest arises with Oaktree
- e) Abuse their position to secure benefits for themselves or any family member or friend

Oaktree Representatives must:

- a) Disclose any interest (financial or otherwise) in Oaktree's work where the Representative has an influence on a decision being made

3.2 Perform their role to the best of their ability

Oaktree Representatives must perform their role with Oaktree to the best of their ability. This means that Oaktree Representatives must:

- a) Only engage in conduct which is professional, which has regard to Oaktree's interests and policies, and which does not bring Oaktree into disrepute,
- b) Work in a way that ensures their own safety and the safety of others,
- c) Be proactive in protecting and furthering Oaktree's best interests,
- d) Use Oaktree's systems and equipment appropriately and for proper purposes. This includes email, messaging, internet access and technology,
- e) Comply with all applicable laws, and
- f) Notify their manager or an Executive Team Member if other Representatives are not behaving in accordance with the Code or Oaktree policies.

3.3 Compliance with policies

Oaktree Representatives need to be aware and comply with all of Oaktree policies. If they are unable to access these policies, Oaktree Representatives must ask their team leader for access. There is also mandatory induction training that is required upon commencement of one's role as a Representative.

3.4 Compliance with standards

Oaktree is a signatory to the Australian Council for International Development [ACFID Code of Conduct](#), and members and Volunteers are encouraged to have read and understood this document, and to comply with the ACFID requirements, in parallel with this Code of Conduct.

3.5 Child Safeguarding

Oaktree Representatives must:

- a) read and comply with Oaktree's Child Safeguarding Policy;
- b) use appropriate language and avoid profanity and sexual language in the presence of children
- c) report any behaviour by an Oaktree Representative that is suspected of being child exploitation or abuse (including possession of child exploitation material) to Oaktree

Oaktree employees and volunteers in Victoria must provide Oaktree with a valid Working with Children Check.

Oaktree Representatives must not:

- a) Abuse or exploit children
- b) Engage in sexual relations with children
- c) Engage in unnecessary or prolonged physical contact with children in the course of their work at Oaktree
- d) Contact children that the Representative has met in the course of an Oaktree activity for purposes other than an Oaktree activity
- e) Supply drugs or alcohol to children
- f) Use the image of or distribute the personal information of a child without the consent of the child's parent or legal guardian
- g) Be alone with a child while in the course of an Oaktree activity, unless unavoidable.

3.6 Prevention of Sexual Exploitation, Abuse and Harassment

Oaktree Representatives must:

- a) read and comply with Oaktree's Prevention of Sexual Exploitation, Abuse and Harassment Policy.
- b) Report any incident of sexual exploitation, abuse or harassment by an Oaktree Representative to Oaktree

Oaktree Representatives must not sexually exploit, abuse or harass any person.

3.7 Respectful behaviour

Oaktree Representatives must behave respectfully and uphold Oaktree's values. They must not:

- a) Engage in discrimination, bullying or harassment
- b) Behave inappropriately or offensively
- c) Abuse any privileged position in relation to the communities, partners and others that Oaktree works with

Oaktree Representatives must:

- a) Respect the human rights of all people
- b) Encourage diversity
- c) Respect local cultures and customs
- d) Demonstrate respect for people with different backgrounds and beliefs

3.8 Use of Oaktree Resources

Oaktree Representatives must act responsibly with Oaktree resources, money, equipment and information. They must account for any money, resources and equipment used.

Oaktree Representatives must not commit any act of fraud, bribery, corruption or money laundering, and must report any suspected misuse of Oaktree funds or resources.

3.9 Use of confidential information

Oaktree Representatives may be given access to confidential information about Oaktree, its Representatives and external relationships Oaktree has with other organisations or persons. If so,

- a) They may only use confidential information for the express purpose for which it is provided and may not use the information for any other purpose.
- b) They must not disclose any confidential information to a third party, or make the confidential information available to a third party in any way, except as required by the express purpose the confidential information was provided for.
- c) They are bound to protect any confidential information relating to Oaktree under an obligation of confidence.

- d) If they seek to use confidential information for another or related purpose, prior approval of this use must be sought from an Executive Team Member.
- e) They must not disclose any confidential information or make confidential information known in any way except as under this Agreement.
- f) They must ensure that unauthorised persons do not have access to any confidential information.

'Confidential information' means all information of Oaktree which Oaktree Representatives become aware of or generate including, but not limited to:

- a) Trade secrets; confidential know-how; personal information of members; information concerning the business, finances, campaigns, research and development, marketing information, strategy or Representatives of Oaktree or any related body corporate;
- b) Any information that is marked, or they are told, is confidential;
- c) Any information which would reasonably be regarded as confidential; and
- d) which is not otherwise in the public domain other than as a consequence of an unauthorised disclosure.

This obligation continues after Representatives leave Oaktree.

3.10 Customer Relationship Management ('CRM') terms of use

When using CRM, Oaktree Representatives undertake to:

- a) Comply with Oaktree's Privacy Policy and not share confidential information disclosed to them, as per Clause 2.5 above.
- b) Record all information accurately and professionally. This means they will:
 - i. Not delete information unless asked to by a supporter; and
 - ii. Not intentionally record incorrect information.
- c) Respect those in our database. This includes:
 - i. Not emailing those who have unsubscribed;
 - ii. Calling supporters at reasonable hours; and
 - iii. Recording appropriate notes that do not cause offence to our supporters, or otherwise harm the reputation of Oaktree or our Representatives.
- d) Only use information in their official capacity as an Oaktree Representative. This means Representatives must not use any information for purposes other than those authorised, whether explicitly or implicitly, by Oaktree.
- e) Refrain from storing any information on their personal electronic device or in any other form. If any information is stored in this way, they must undertake to destroy it as soon as practicable.

3.11 Conduct in the media

When speaking to the media, Representatives have certain restrictions placed upon them:

- a) Prior to accepting an offer, Representatives must speak to their manager about the offer.
 - i. Their manager will assist them in preparation if they approve of the media appearance
 - ii. If they have significant media coverage, their manager will seek approval from the relevant executive member
- b) After this approval Representatives can only speak to the media after receiving a briefing or Oaktree internal training.
- c) When talking to the media Representatives must only speak of their personal role or work. Representatives must not answer questions that they are unsure of and should instead refer the question to their manager where necessary.
- d) Do not make misleading or false statements regarding other agencies or Oaktree.

3.12 Social media presence

When using social media, Oaktree Representatives are to act in accordance with Oaktree values and policies outlined in this document. 'Social media' includes Facebook, Instagram, Twitter and LinkedIn.

Prior to responding to any request to act in an official Oaktree manner on social media Representatives must refer to section 2.8 'Conduct in the Media'.

3.13 Health and Safety

Oaktree Representatives must:

- a) ensure that their actions do not pose an unacceptable health or safety risk to others
- b) report any notable risks to health or safety in the workplace

3.14 Drugs, alcohol and Smoking

Oaktree Representatives must not:

- a) Use, sell, possess or distribute any illicit substances,
- b) Behave irresponsibly in regards to the purchase or consumption of alcohol,
- c) Improperly use or abuse prescription or over-the-counter medication,
- d) Distribute or sell over-the-counter or prescription medication to any other person.
- e) Work under the influence of drugs
- f) Work under the influence of alcohol, except under special circumstances agreed to by management.

Representatives are expected to:

- a) Refrain from smoking within a reasonable vicinity of other Representatives or members of the public who do not wish to be in contact with smoke,
- b) Refrain from smoking whilst in the company of any external stakeholders, such as our Partner Organisations, or be filmed or photographed whilst smoking.

For the purposes of this section, Oaktree recognises that passive smoking can be hazardous to health and commits to having a smoke-free workplace.

4. Scope of authority of Representatives

- a) The Oaktree Delegation Policy informs first and foremost and overrides all other delegations of authority for Oaktree Representatives.
- b) Oaktree Representatives are prohibited from entering into any binding arrangements on behalf of Oaktree or while in their capacity as a Representative without specific authority.
 - i. Only Executive Team Members have the power to enter into legally binding contracts.
 - ii. However, they have the power to delegate this authority in certain circumstances. This must be express and direct delegation.
- c) Representatives are prohibited from setting initiatives when they have not been authorised by a team leader with appropriate authority.
- d) In order to maintain accountability, Representatives must also ensure they are in constant communication with appropriate team leaders regarding the scope of their authority.
- e) Representatives acknowledge that Oaktree will not be liable for any action taken by them where specific authority has not been obtained.

5. Oaktree's management of Representatives

Oaktree agrees to do the following for its Representatives.

5.1 Inclusive and Diverse Environment

Oaktree is an organisation where young people can realise their potential. Oaktree is committed to building a workplace and community that encourages, supports and values

diversity. Oaktree will advance diversity and inclusivity across the organisation, including hiring practices, retention and treatment of Representatives. Any allegations of bullying, harassment or discrimination will be treated in accordance with the *Anti-Discrimination, Harassment and Bullying Policy*.

5.2 Provide Representatives with a healthy and safe workplace

Oaktree shall:

- a) comply with Oaktree's Occupational Health and Safety Policy, and relevant occupational health and safety legislation.
- b) provide a Complaint Procedure for Representatives wishing to pursue a grievance,
- c) provide insurance coverage for Representatives, ensuring that they are covered for work activities including Oaktree related travel.

5.3 Provide support for Representatives to perform well in their roles

Oaktree will provide ongoing induction and training to Representatives as appropriate. All Representatives will have a manager, with whom any questions or issues can be discussed. Job descriptions and volunteering or working hours will be agreed upon between the manager and the Representative, and may evolve over time.

5.4 Reimburse Representatives for out of pocket expenses incurred on behalf of the organisation

Oaktree will reimburse pre-authorised activities for reasonably incurred Oaktree-related out of pocket expenses in accordance with its *Procurement Policy*.

6. Consequences of breaching this Code of Conduct

Oaktree expects Representatives to comply with this Code. If Representatives act outside this Code, they will be subject to disciplinary action. This disciplinary action may take the form of a warning, formal reprimand or termination of their role. The consequences will be enforced at the discretion of those to whom the Representative is accountable.

7. Declaration

In accepting my role as a Representative, I will carry out my duties and behave in accordance with this Code. If I am unclear about any areas of this Code of Conduct, I will seek assistance from my manager or an executive member. I am aware that I am obligated to report incidents of malpractice or breaches of conduct to my manager or to an executive member.

Name: _____

Signature: _____

Date: _____

Appendix One: Overseas partnership engagement behaviour protocols and general behaviour expectations

Appendix One applies only to Representatives who are participating in an overseas trip with Oaktree.

A Representatives' behaviour while overseas impacts on the perception of both Oaktree and partner organisations. For that reason, when engaging with partners, Representatives are expected to maintain the highest standards of integrity and behaviour. Specifically, Representatives:

- a) will seek to be sensitive and respectful in their use of language;
- b) will not engage in open or covert sexual behaviours with any staff, volunteer, member, client, beneficiary, or associate of our partner organisations;
- c) will not engage in open or covert sexual behaviours with any member of a community in which Oaktree is working in;
- d) while representing Oaktree during a trip, will refrain from engaging in a romantic relationship or engaging in open or covert sexual behaviours with other members of the trip;
- e) will wear appropriate attire when working within a community;

Representatives shall also:

- a) follow all reasonable instructions and requests from Trip Leaders,
- b) participate actively in the trip Program,
- c) discuss with trip leaders before carrying out any activity that is separate from the trip.
- d) must consult with their health professional prior to the trip, to discuss any vaccination and/or medication that may be necessary prior to or during the trip, and to ensure that they are fit for travel for the particular trip
- e) disclose all medical information on the mandatory medical form to the best of their knowledge, and to keep this form up to date at all times
- f) recognise that a First Aid Officer's role is limited, and take responsibility for seeking professional help in circumstances of illness and injury.