

## (10) AMPJP Code of Conduct

### a) Context

The Association of Ministerial Public Juridic Persons (AMPJP) is guided by the following eleven principles<sup>1</sup>:

1. Christocentric - Jesus Christ is our role model in life and leadership.
2. Courageous - Our mission and integrity are advanced even through conflict, resistance and difficulty.
3. Stewardship - All we have is a gift from God to be used wisely and we hold ourselves accountable for our actions as stewards of these gifts.
4. Transparent - Our activities, processes and outcomes are made known to stakeholders.
5. Collegial - Our preference is team work within our organisation and with partner organisations.
6. In communion with the rest of the Church - Coordination and communication characterise our relationship with the rest of the Church.
7. Open to learning - The status quo does not stop us from drawing on wisdom from all sources in pursuit of continuous improvement.
8. Preferential option for poor - Assisting those experiencing poverty of any kind is our first priority.
9. Respectful - We uphold the dignity of all people and of the rest of nature.
10. Servant leadership - The needs and development of others are placed before our own status and comfort.
11. Subsidiarity - Decision-making and necessary resources are devolved to the most appropriate level so as to foster dignity, autonomy and participation.

The AMPJP's Code of Conduct seeks to more clearly state how these principles apply to the behaviours of an individual.

The AMPJP does not currently provide direct services to children or adults at risk. However, this Code makes reference to children or adults at risk as it is possible that AMPJP personnel make encounter them in the course of their activities.

The Code complements other documents of the Catholic Church, notable the framework for ministry and service: *Our Common Mission*.

The Code should be read alongside the AMPJP's other policies, especially the AMPJP Safeguarding Policy and Complaint Handling Policy.

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<sup>1</sup> AMPJP (2018) Governance principles, foundations and applications

**b) Scope**

This policy applies to all AMPJP employees and volunteers (including members of the AMPJP Council) when they are engaged in AMPJP activities or may reasonable be considered to be representing the AMPJP.

**c) Policy**

The words and actions of AMPJP personnel strive to promote:

- a culture of safeguarding;
- positive relationships;
- stewardship; and
- ongoing formation.

**d) Procedure**

**1) A culture of safeguarding**

AMPJP personnel will:

- a) think and act in the best interests of children, and adults who are at risk;
- b) value the cultural safety of Aboriginal and Torres Strait Islander Peoples;
- c) speak out when actions, behaviours, language, or environments may cause harm;
- d) embed effective safeguarding policies and practices at all levels of governance and leadership;
- e) ensure safeguarding resources are easily available and reviewed regularly; and
- f) meet all mandatory reporting and record-keeping requirements.

**2) Positive relationships**

AMPJP personnel will:

- a) respect the dignity, rights and views of others;
- b) act honestly and with integrity at all times;
- c) be courteous, fair, sensitive and considerate to the needs of others;
- d) use appropriate language;
- e) listen and seek to understand different points of view (this does not necessarily mean agreeing with the point of view);
- f) acknowledge vulnerability and power in any relationship;
- g) promote the autonomy and voice of others;
- h) act respectfully at all times, including respecting cultural, ethnic, political and religious differences;
- i) take care to not make assumptions or generalisations about individuals;
- j) recognise that aspects of a person's identity or life experiences may also increase their risk of vulnerability to abuse or harm;

- k) adhere to an appropriate standard of dress when engaged in AMPJP activities;
- l) take an inclusive approach that does not discriminate against or harass any person because of their gender, sex, marital status, pregnancy, age, race, ethnic or national origin, physical or intellectual impairment or sexual orientation or gender identity. Such harassment or discrimination may constitute an offence under the *Anti-Discrimination Act 1977*;
- m) clarify the nature of personal and professional relationships;
- n) understand and maintain physical, sexual, emotional, and psychological boundaries;
- o) report boundary violations to the relevant safeguarding authority;
- p) only act within and not beyond an area of expertise;
- q) accept full responsibility for any real or perceived abuse of power; and
- r) exercise caution when using social media platforms for personal purposes outside their work hours and not to make disparaging or offensive comments on social media about AMPJP, the Catholic Church, AMPJP collaborators.

### 3) **Stewardship**

AMPJP personnel will:

- a) maintain a high standard and quality of work;
- b) demonstrate a duty of care;
- c) exercise care, responsibility and sound judgement when carrying out their duties;
- d) take reasonable ensure health and safety of self and others;
- e) comply and cooperate with legislative and industrial requirements and any reasonable instruction, policy or procedure;
- f) administer open and transparent financial and operational systems;
- g) respect confidential information and not divulge, either during work or after, the confidential information of AMPJP;
- h) use resources ethically and sustainably;
- i) use resources only for their intended purpose, maintain well and secure against theft or misuse;
- j) employees are accountable for the appropriate use of working hour and should not use AMPJP working hours or resources for an outside interest, secondary employment or personal gain;
- k) report any improper use, waste or abuse of resources, corrupt or fraudulent conduct or inadequate administration or accountability to AMPJP Council Chair. *(In reporting any suspected improper use, fraud, waste or abuse of resources, corrupt conduct, inadequate administration or accountability, personnel will be protected as far as reasonably practicable against victimisation and retaliation as result of a disclosure. Personnel are not entitled to protection for disclosures which, on investigation, are found to be*

*vexatious or malicious allegations, and may be liable for disciplinary action as a result.);*

- l) respect the privacy and confidentiality of any person who reports safety concerns about a child or adult at risk except where legislative or statutory requirements over-ride this as outlined in the Safeguarding Policy;
- m) identify and declare potential conflicts of interest;
- n) employees are required to undertake their duties with the highest degree of integrity and free from any conflicts of interest or contractual breaches resulting from other paid or unpaid employment. Employees should seek and obtain approval in writing from AMPJP Council Chair prior to engaging in any secondary employment, voluntary work or business activity, including during periods of paid or unpaid leave with AMPJP.
- o) seek external, independent expertise when necessary;
- p) be objective, open and honest, making recommendations or decisions with integrity and accountability and in a way that best serves the interests of AMPJP
- q) Personnel must not solicit gifts, benefits or hospitality that might in any way compromise or influence them directly or indirectly in their capacity as personnel.
- r) Personnel must declare any gifts, benefits or hospitality valued at \$50 or more.

#### **4) Ongoing formation**

AMPJP personnel will:

- a) continuously seek to improve work performance and bring about improvements at AMPJP;
- b) undertake relevant education, training, and development, including in safeguarding;
- c) adhere to professional standards and interculturality;
- d) have professional/pastoral supervision with a registered, independent supervisor if in a ministry role;
- e) engage in spiritual direction, or other form of reflective practice;
- f) attend to our own spiritual, physical, social, mental, and emotional wellbeing;
- g) seek additional professional or personal support as needed; and
- h) relate codes of conduct to both personal and professional formation.

#### **5) Unacceptable behaviour**

The following is not an exhaustive list but to reduce any ambiguity AMPJP personnel must:

- a) not act in ways that adversely affect the health and safety of others;

- b) not come to work or stay at work while affected by alcohol, any illegal substance, or any drug which impairs work performance or poses a safety risk to themselves or others;
- c) not consume any substance during working hours which would impair their ability to work safely and effectively and would be a risk to the safety of others;
- d) not bring alcohol onto work premises without permission;
- e) not smoke in the workplace, including in stairwells, fire escapes and foyers and before, during and after normal office hours;
- f) not ignore work duties or waste time during working hours;
- g) not take or seek improper advantage of their position to benefit themselves or others;
- h) not allow personal political views/affiliations or other personal interests to influence the performance of duties or exercise of responsibilities;
- j) not use information and communication technologies, such as email, mobile phones, text or instant messaging and websites to engage in behaviour that could reasonably be considered to have a negative impact on another person, cause them harm, or make them feel unsafe;
- k) not make unfounded complaints with malicious, frivolous or vexatious intent against another member of personnel;
- l) not make excessive demands and/or degrading comments;
- m) not engage in any form of physical or sexual abuse;
- n) not use sexually suggestive or explicit language or gestures;
- o) not engage in conversations about sexual experiences or sharing sexual images;
- p) not engage in sexual grooming of a child or adult at risk;
- q) not exploit an individual's vulnerability to form an intimate relationship;
- r) not use authority or power to exploit, manipulate or coerce a person to engage in any activity, or which disrespects their human rights and dignity;
- s) not disrespect a person's privacy;
- t) not engage in any form of financial abuse or exploitation;
- u) not be alone with a child away from the presence of other adults, including for the purpose of transportation, without express permission;
- v) not shower/use the toilet with an open door in the presence of a child or adult at risk;
- w) not help children or adults at risk with intimate care if the person is capable of doing it on his or her own (e.g., toileting or changing clothes);
- x) not physically discipline a child;
- y) not make any kind of drug, alcohol or cigarettes available to children;
- z) not engage in private electronic or online contact with a child;
- aa) not engage with a child in a way that is overly intimate or could be seen as involving favouritism or any form of special treatment, and

bb) not take photos of a person without express consent.

## 6) **Responding to inappropriate behaviour/possible breaches of this Code**

AMPJP Personnel must:

- a) take action to respond to any immediate safety concerns;
- b) promptly report any concerns to the AMPJP Executive Director or AMPJP Council Chair if the concerns relate to the AMPJP Executive Director;
- c) comply with the processes outlined in the AMPJP Complaint Handling Policy/Safeguarding Policy; and
- d) undertake all actions necessary to meet my obligations to report any safety concerns to the appropriate external authorities.

## 7) **Consequences of Breaching the Code**

Breaching the Code of Conduct may constitute misconduct and result in disciplinary proceedings up to and including dismissal (with or without notice) and possible criminal proceedings.

In relation to religious brothers, sisters and clergy breaching the Code of Conduct may lead to them being removed from ministry and dispensed from his or her vows or dismissed from the clerical state, as applicable.

Disciplinary action may impact on their ability to work with children and/or adults at risk in the future.

## e) **Compliance**

Compliance with this policy is being measured by all personnel having read and signed this Code (see appendix 1).

## f) **Evaluation**

This policy objective can be evaluated as having been achieved when the AMPJP personnel are seen by others having adhered to this policy.

## g) **References**

<b>Civil law</b>	a) Australian Charities and Not-for-profits Commission Act, 2012 (Cth) b) Corporations Act, 2001 (Cth)
<b>Church teaching</b>	a) ACSL (2022) National Catholic Safeguarding Standards b) ACSL (2022) National Response Framework 2 <sup>nd</sup> Edition c) ACSL (2023) <i>Our Common Mission</i>
<b>Other references</b>	a) AMPJP (2021) <i>Constitution</i> , 10 Aug 2021 b) AMPJP (2018) <i>Governance Principles, Foundations and Applications</i>

## h) **Record of changes to document**

<b>Date of change</b>	<b>Section changed</b>	<b>Nature of change</b>
08 Feb 2023	All sections	Document created
08 Feb 2026		Policy Review Due

## Signed acknowledgement of acceptance of the AMPJP Code of Conduct

To promote a culture of safeguarding, I will:

- a) think and act in the best interests of children, and adults who are at risk;
- b) value the cultural safety of Aboriginal and Torres Strait Islander Peoples;
- c) speak out when actions, behaviours, language, or environments may cause harm;
- d) embed effective safeguarding policies and practices at all levels of governance and leadership;
- e) ensure safeguarding resources are easily available and reviewed regularly; and
- f) meet all mandatory reporting and record-keeping requirements.

To promote positive relationships, I will:

- a) respect the dignity, rights and views of others;
- b) act honestly and with integrity at all times;
- c) be courteous, fair, sensitive and considerate to the needs of others;
- d) use appropriate language;
- e) listen and seek to understand different points of view (this does not necessarily mean agreeing with the point of view);
- f) acknowledge vulnerability and power in any relationship;
- g) promote the autonomy and voice of others;
- h) act respectfully at all times, including respecting cultural, ethnic, political and religious differences;
- i) take care to not make assumptions or generalisations about individuals;
- j) recognise that aspects of a person's identity or life experiences may also increase their risk of vulnerability to abuse or harm;
- k) adhere to an appropriate standard of dress when engaged in AMPJP activities;
- l) take an inclusive approach that does not discriminate against or harass any person because of their gender, sex, marital status, pregnancy, age, race, ethnic or national origin, physical or intellectual impairment or sexual orientation or gender identity. Such harassment or discrimination may constitute an offence under the *Anti-Discrimination Act 1977*;
- m) clarify the nature of personal and professional relationships;
- n) understand and maintain physical, sexual, emotional, and psychological boundaries;
- o) report boundary violations to the relevant safeguarding authority;
- p) only act within and not beyond an area of expertise;

- q) accept full responsibility for any real or perceived abuse of power; and
- r) exercise caution when using social media platforms for personal purposes outside their work hours and not to make disparaging or offensive comments on social media about AMPJP, the Catholic Church, AMPJP collaborators.

To promote stewardship, I will:

- a) maintain a high standard and quality of work;
- b) demonstrate a duty of care;
- c) exercise care, responsibility and sound judgement when carrying out their duties;
- d) take reasonable ensure health and safety of self and others;
- e) comply and cooperate with legislative and industrial requirements and any reasonable instruction, policy or procedure;
- f) administer open and transparent financial and operational systems;
- g) respect confidential information and not divulge, either during work or after, the confidential information of AMPJP;
- h) use resources ethically and sustainably;
- i) use resources only for their intended purpose, maintain well and secure against theft or misuse;
- j) employees are accountable for the appropriate use of working hour and should not use AMPJP working hours or resources for an outside interest, secondary employment or personal gain;
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- l) respect the privacy and confidentiality of any person who reports safety concerns about a child or adult at risk except where legislative or statutory requirements over-ride this as outlined in the Safeguarding Policy;
- m) identify and declare potential conflicts of interest;
- n) employees are required to undertake their duties with the highest degree of integrity and free from any conflicts of interest or contractual breaches resulting from other paid or unpaid employment. Employees should seek and obtain approval in writing from AMPJP Council Chair prior to engaging in any secondary employment, voluntary work or business activity, including during periods of paid or unpaid leave with AMPJP.
- o) seek external, independent expertise when necessary;
- p) be objective, open and honest, making recommendations or decisions with integrity and accountability and in a way that best serves the interests of AMPJP



- q) Personnel must not solicit gifts, benefits or hospitality that might in any way compromise or influence them directly or indirectly in their capacity as personnel.
- r) Personnel must declare any gifts, benefits or hospitality valued at \$50 or more.

To promote ongoing formation, I will:

- a) continuously seek to improve work performance and bring about improvements at AMPJP;
- b) undertake relevant education, training, and development, including in safeguarding;
- c) adhere to professional standards and interculturality;
- d) have professional/pastoral supervision with a registered, independent supervisor if in a ministry role;
- e) engage in spiritual direction, or other form of reflective practice;
- f) attend to our own spiritual, physical, social, mental, and emotional wellbeing;
- g) seek additional professional or personal support as needed; and
- h) relate codes of conduct to both personal and professional formation.

I agree with AMPJP's definition of unacceptable behaviour and I will:

- a) not act in ways that adversely affect the health and safety of others;
- b) not come to work or stay at work while affected by alcohol, any illegal substance, or any drug which impairs work performance or poses a safety risk to themselves or others;
- c) not consume any substance during working hours which would impair their ability to work safely and effectively and would be a risk to the safety of others;
- d) not bring alcohol onto work premises without permission;
- e) not smoke in the workplace, including in stairwells, fire escapes and foyers and before, during and after normal office hours;
- f) not ignore work duties or waste time during working hours;
- g) not take or seek improper advantage of their position to benefit themselves or others;
- h) not allow personal political views/affiliations or other personal interests to influence the performance of duties or exercise of responsibilities;
- i) not use information and communication technologies, such as email, mobile phones, text or instant messaging and websites to engage in behaviour that could reasonably be considered to have a negative impact on another person, cause them harm, or make them feel unsafe;
- j) not make unfounded complaints with malicious, frivolous or vexatious intent against another member of personnel;

- k) not make excessive demands and/or degrading comments;
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- q) not use authority or power to exploit, manipulate or coerce a person to engage in any activity, or which disrespects their human rights and dignity;
- r) not disrespect a person's privacy;
- s) not engage in any form of financial abuse or exploitation;
- t) not be alone with a child away from the presence of other adults, including for the purpose of transportation, without express permission;
- u) not shower/use the toilet with an open door in the presence of a child or adult at risk;
- v) not help children or adults at risk with intimate care if the person is capable of doing it on his or her own (e.g., toileting or changing clothes);
- w) not physically discipline a child;
- x) not make any kind of drug, alcohol or cigarettes available to children;
- y) not engage in private electronic or online contact with a child;
- z) not engage with a child in a way that is overly intimate or could be seen as involving favouritism or any form of special treatment, and
- aa) not take photos of a person without express consent.

If I have reason to believe there has been behaviour that possibly breaches this Code, I will:

- take action to respond to any immediate safety concerns;
- promptly report any concerns to the AMPJP Executive Director or AMPJP Council Chair if the concerns relate to the AMPJP Executive Director;
- comply with the processes outlined in the AMPJP Complaint Handling Policy/Safeguarding Policy; and
- undertake all actions necessary to meet my obligations to report any safety concerns to the appropriate external authorities.

I agree to abide by the AMPJP Code of Conduct during my work with AMPJP

I understand that breaches of this Code of Conduct may lead to disciplinary action, including dismissal, and/or criminal proceedings.

Signed:

Name:

Role:

On behalf of AMPJP

Signed:

Name:

Role: