



## CODE OF CONDUCT – THE PINNACLE FOUNDATION

### MESSAGE FROM THE CHAIR

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The Pinnacle Foundation provides educational scholarships and mentoring support to marginalised or disadvantaged LGBT+ young adults across Australia.

This Code of Conduct sets out the way in which we will go about realising our vision of empowering young LGBT+ Australians to achieve their full potential, transforming Australian society for the better.

Central to our vision is our commitment to embrace the Foundation's values:

- Thirst for learning – creating opportunities, new horizons and joy through learning
- Sense of belonging – supporting each other, being part of a community, showing gratitude and having fun
- Will to transform – changing lives by having a go, challenging boundaries, being courageous and celebrating achievements.

When we act respectfully, ethically and with integrity, we will continue to enjoy the confidence and trust of our stakeholders.

This Code of Conduct is our blueprint for the way we do our important work. It details what we stand for, how we interact with each other, how we engage with our stakeholders, and what they can expect from us. It provides guidance for everyone connected with the Foundation about the Foundation's expectations of them day to day.

Please spend time reviewing the Code to understand your responsibilities.

Yours sincerely

Paul Zahra,  
Chair, Pinnacle Foundation  
February 2019

The People, Remuneration & Nominations Committee of the Board is responsible for the maintenance of this Code of Conduct. This document will be reviewed annually.

Uncontrolled if printed. Refer to the web site for the most current version.

## UNDERSTANDING AND USING THE CODE OF CONDUCT

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This Code of Conduct aims to clearly state the way we behave and conduct ourselves in our important work with internal and external stakeholders. It applies at all times, regardless of whether we are in a formal or less formal context and regardless of whether the context pertains solely or partially to the Foundation. The Code guides us, and is supported by more detailed policies, procedures, specific undertakings and guidelines developed by the Foundation's management which may be referred to in the Code.

The Code cannot describe or anticipate every situation, so it is important to ask for further support and information if you are unsure of something, as well as applying your own common sense.

The Code of Conduct applies to all volunteers, employees, contractors, consultants, officers, directors and third parties who work for or with the Foundation. The Foundation's suppliers and donors are encouraged to observe the practices, guidelines and protocols of the Code of Conduct. Mentors and scholars make a specific undertaking at the time they enter a relationship with us.

The Foundation's management will strive to ensure that the Code of Conduct is observed in both word and spirit by all who represent it by ensuring all the above persons are familiar with its contents.

### **Protection of the Foundation's Interests**

We must always conduct ourselves with honesty and integrity beyond the test of legal legitimacy. We must avoid actions that compromise the Foundation's legitimate interests or objectives.

### **Breaches of Conduct**

It is everyone's responsibility to report to their manager/leader any potential breach of the Code of Conduct or any matter of serious concern. To the best of our ability anyone reporting incidents of misconduct will be granted the full protection of the Foundation's Board.

If you feel unable to discuss a potential breach with your relevant member of the Management Committee, or are unhappy with their response, then it should be raised with the Chief Executive Officer (CEO).

If you feel unable to discuss the issue with the CEO, or are unhappy with the CEO's response, or if the potential breach pertains to the CEO or the Foundation's Chair, then it should be raised with the Chair of the People, Remuneration & Nominations Committee.

Anyone who reports a breach will be advised of the outcome of that matter.

If you receive a report of a perceived breach or matter of serious concern you must:

- Treat it seriously, and where possible maintain confidentiality
- Respond promptly and professionally
- Seek the advice of the CEO, or if the matter concerns the CEO or Chair, seek the advice of the Chair of the People, Remuneration & Nominations Committee of the Board.

All other matters or queries relating to the Code, its meaning and operation, should be directed initially to your relevant Management Committee member.

If a breach is determined to have occurred, the perpetrator is entitled to respond to the findings prior to considering appropriate recourse. Recourse may include:

- A reprimand and provision of further training
- Termination of involvement with the Foundation
- Legal action
- Public statement regarding the breach findings.

## OUR PEOPLE

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### Safety

The safety of everyone connected with the Foundation is paramount. We must all take responsibility for preventing work related injuries and illnesses including those which may relate to the home environment or at formal or informal Foundation events from where Foundation work is conducted.

We will prioritise safety by providing the right equipment for people to work safely, and where necessary provide access to training or professional advice. We will comply with all relevant legislation.

## **Drug and Alcohol Use**

We do not condone the use of substances that may impair our ability to function effectively in work environments, whether formal or informal, and that may put at risk our health and safety, and the health and safety of those around us.

## **Diversity and Inclusion**

We will all hold ourselves accountable for developing diverse and inclusive teams. We benefit from bringing together talented people who possess a diverse range of experiences and perspectives to create an environment to support the Foundation's ongoing success.

We understand diversity can take many forms, including: gender, gender identity, sexual orientation, age, race, physical qualities, disability, education level, life experience, work experience, socio-economic background, personality, marital status, carer responsibilities, religious beliefs, geographic location and income level.

## **Professional Behaviour**

We will treat one another with dignity, respect and consideration at all times. We will not accept unprofessional behaviour.

We will develop open and honest partnerships that are mutually beneficial. We will adhere to all laws and regulations, conducting ourselves with honesty and integrity beyond the test of legal legitimacy.

## **Bullying**

We will not tolerate behaviour that may be perceived as bullying or a form of intimidation. Bullying is repeated verbal, physical, social or psychological abuse by a person or group of people at work.

## **Harassment**

We will not tolerate sexual or workplace harassment. Harassment is an action, conduct or behaviour that is viewed as unwelcome, humiliating, intimidating or offensive by the recipient.

## **Personal Information and Privacy**

The Foundation may collect personal information about scholars, mentors, volunteers, donors, employees, directors and suppliers for legitimate purposes. We will use the data correctly and appropriately, always respecting the privacy of those that have had their information collected. We will always observe relevant laws and regulations pertaining to the protection of this personal data.

Where we have authorised access to personal information, access is granted for a specific purpose only and does not permit use of the data for any other purpose without the express approval of the CEO or Chair.

### **Board Duties**

Pursuant to the Australian Charities and Not-for-profits Commission (ACNC) Governance Standards, directors of the Foundation must:

- Act with reasonable care and diligence
- Act honestly and fairly in the best interests of the Foundation and for its charitable purposes
- Not misuse their position or information they gain as a responsible person
- Disclose conflicts of interest
- Ensure that the financial affairs of the Foundation are managed responsibly
- Not allow the Foundation to operate while it is insolvent.

The Foundation's directors must not be disqualified from:

- Managing a corporation under the Corporations Act 2001 (Cth)
- Being a responsible person by the ACNC Commissioner, within the previous 12 months.

## **COMMUNITY ENGAGEMENT**

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### **Political Commitments**

In our capacity with the Foundation, we will not:

- Engage in political activities
- Make cash or in-kind contributions to political parties or lobby groups,
- Contribute to political fundraising activities.

### **Bribery and Corruption**

We prohibit any activities involving bribery, corruption, facilitation payments, secret commissions and similar payments including ex gratia.

## THIRD PARTY RELATIONSHIPS

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### **Dealing with Third Parties**

Third parties may at times indirectly represent the Foundation and consequentially impact our reputation through the dissemination of misleading or incorrect information. Care must therefore be taken in determining appropriate individuals or organisations when engaging third parties.

Third parties must be made aware of, and be required to comply with, this Code of Conduct when engaged in activities for the Foundation. Third parties must maintain the highest level of ethical behaviour and standards in all activities.

### **Maintaining Supplier Relationships**

When dealing with suppliers, the Foundation will establish business dealings and agreements that are open, fair and satisfactory to both parties. Confidentiality will be maintained over proprietary information relevant to the Foundation and its suppliers.

We will respect the intellectual property of suppliers. We will consider the implications of copying or distributing their written or electronic resources.

### **Conflict of Interest**

The Foundation's employees owe their first loyalty to the Foundation. Similarly, volunteers, contractors, consultants, officers, directors and third parties need to be conscious of their other affiliations.

If you wish to serve as a director or trustee of another organisation where a conflict of interest may arise you must advise and seek the approval of your relevant Management Committee member or Chair of the Board (in the case of the CEO and Board).

Employees who are members of professional organisations must be conscious of their obligations to the Foundation as well as to their obligations as members of those professional organisations.

### **Gifts and Hospitality**

Anyone working on behalf of the Foundation must not seek, offer or accept any payments, gifts, benefits or entertainment beyond that which is considered as normal and legitimate business practice. Any payment, gift, benefit or entertainment which could be perceived as a reward or encouragement for preferential treatment will be considered improper.

The giving or receiving of a gift or entertainment with an estimated value greater than \$250 must be approved by the Chair.

## USE OF FOUNDATION SYSTEMS AND RESOURCES

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### Electronic Access

Access to Pinnacle's email system, and any other systems or resources that the Foundation may provide, is provided for explicit Foundation purposes. Inappropriate use of these resources is strictly prohibited. Inappropriate uses include:

- Accessing or downloading of pornographic material
- Accessing or downloading defamatory, obscene or offensive materials
- Online gambling
- Violating, or attempting to violate any law.

The Foundation reserves the right to monitor or audit use of its management information systems, and access electronic communications or information stored on systems, devices or equipment for maintenance, to meet a legal or policy requirement.

### Travel

Where travel is necessary and beneficial to the Foundation, the safety and security of staff undertaking the travel must as far as possible be assured. Travel paid for by the Foundation must be approved in advance by the CEO (CEO's travel by the Chair) and will only cover Economy Class travel and mid-range overnight accommodation.

### Property

The Foundation's financial assets and physical property should only be used for the Foundation's benefit. We all share a responsibility to protect the Foundation's resources. We must not use those resources for personal gain; or alter, destroy or dispose of those resources without prior approval and authorisation; or remove or use those resources without prior approval and authorisation.

### Intellectual Property

The Foundation's intellectual property is valuable. Protocols and processes may exist for its use and protection. These must be followed. You must not release the Foundation's intellectual property to those who are not legitimately entitled to that information.

External parties who may be granted legitimate access to the Foundation's intellectual property may be required to sign a confidentiality agreement.

## **Brand and External Communication**

All information that is sent out externally to the media, stakeholders and/or regulatory bodies must be approved by the CEO or Chair. Public statements must only be made by those who are authorised spokespersons.

Those connected with the Foundation must not present personal views as those of the Foundation in any media, including social media.

External parties are not permitted to use the Foundation's brand without prior approval.

For more detailed information please refer to the Foundation's Communications Policy, and Editorial and Social Media Policy.

## **Accuracy in Records and Reports**

The accuracy, use and handling of information are critical to the Foundation's integrity and its reputation. We must ensure information is recorded honestly and accurately. Records must be accurate and not give a false view of the state of the Foundation or its effectiveness in delivering its mandate.

All information must comply with the Foundation's internal processes as well as all relevant financial, legal and regulatory requirements.

## **Confidential Information**

We value the importance of protecting confidential information. When working with confidential information, we will ensure any papers or files are stored properly and are not readily visible to or accessible by unauthorised persons. We must not use this confidential information for private purposes or purposes other than those authorised.