

THE  
P/NNACLE  
FOUNDATION

ABN 81 127 662 604

Code of

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### Message from the Chair

This Code of Conduct sets how we will go about realising our vision for a more diverse and inclusive society with visible LGBTIQ+ role models. 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.

When we act respectfully, ethically and with integrity we will continue to enjoy the confidence and trust of our stakeholders that is necessary for ongoing success of the Foundation.

Please spend time reviewing the Code to understand your responsibilities as a valued member of the Pinnacle family.

Yours sincerely

**Greg Livingstone**

Chair, The Pinnacle Foundation April 2022

## Understanding and Using the Code of Conduct

### **When and where the code applies**

This Code of Conduct (the Code) aims to clearly state the way we behave and conduct ourselves in our important work with internal and external stakeholders with whom we interact in the course of undertaking our Pinnacle Foundation (the Foundation) role. It applies 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 is supported by more detailed policies, procedures, specific undertakings and guidelines developed by the Foundation's management and which may be referred to in the Code.

No Code can describe or anticipate every possible situation, so it is important to ask for further advice and information if you are unsure of something, as well as applying your own common sense.

We must also avoid actions that compromise the Foundation's legitimate interests or objectives.

The Code applies to all volunteers, employees, contractors, consultants, officers, directors and third parties who work for or with the Foundation. Additionally, the Foundation's suppliers and donors are encouraged to observe the practices, guidelines and protocols of the Code as a guide to good practice and in support of the Foundation's values.

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

### **Reporting Breaches of Conduct and Whistleblower Policy**

It is everyone's responsibility to report to their manager/leader any potential breach of this Code or any matter of serious concern. On receiving a report, your manager/leader will assess the information you have given them and determine whether it is necessary to escalate the matter to the CEO for investigation and resolution (for example, serious issues which should be dealt with under the Whistleblower Policy) or whether the matter can be addressed with other action (for example, a change to process). 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) under the Foundation's Whistleblower Policy. If you feel unable to discuss the issue with the CEO, or if the potential breach pertains to the CEO, then it should be raised with the Foundation's Chair or Company Secretary. The Whistleblower Policy is available on the Foundation's website and can be requested from the Company Secretary.

### Safety of Our People

All aspects of safety for everyone connected with the Foundation are paramount. Some specific aspects of safety are set out here as examples but these are not to limit the attention to safety expected in this Code. We all share and must take responsibility for contributing to safety for all involved with the Foundation.

Please raise any concerns you have regarding safety with the CEO.

#### **Physical safety**

We must take steps to prevent 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 provide 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.

#### **Cultural Safety, 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, sexual characteristics, 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 and Relationships**

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.

### **Additional Expectations of Board Members**

Members of the Board are expected to set good examples in relation to all the aspects set out in the Code.

In addition, the Board has adopted a Board Charter which outlines its responsibilities in overseeing the governance of the Foundation. Pursuant to the Australian Charities and Not-for-profits Commission (ACNC) Governance Standards, directors of the Foundation must at all times:

- 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.

## Community Engagement

### **Political Commitments**

The Pinnacle Foundation is an independent not for profit organisation and must not be used to:

- Promote or oppose a political party or candidate for political office
- Make cash or in-kind contributions, directly or indirectly, to political parties or lobby groups
- Contribute to political fundraising activities.

Although we are all free to express political opinions in our private capacities, in no way should we appear to represent our views as if they were the views of The Pinnacle Foundation.

### **Bribery and Corruption**

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

## Third Party Relationships

### **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 duties 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**

### **Electronic Access**

Access to the Foundation'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 or 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.

Pursuant to your volunteer agreement/employment contract, you also agree to transfer intellectual property rights and interests (including copyright) in materials you create while working at the Foundation to the Foundation, so that they can be used for its ongoing activities and operation.

## **Brand and External Communication**

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.

All information that is sent out externally to the media, stakeholders and/or regulatory bodies must be approved by the CEO or Chair. Social media posts are to be approved by the Marketing Manager.

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

For more detailed information please refer to the Foundation's Communication Policy 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.

### **Privacy and Personal Information**

We value and respect individuals' privacy. When handling personal information, we act in accordance with our Privacy Policy, accessible at <https://thepinnaclefoundation.org/resources/policies-and-governance/>.

# THE P/NNACLE FOUNDATION

[THEPINNACLEFOUNDATION.ORG](https://thepinnaclefoundation.org)

THE PINNACLE FOUNDATION SCHOLARSHIP FUND IS ENDORSED AS A DEDUCTIBLE GIFT RECIPIENT BY THE AUSTRALIAN TAXATION OFFICE. DONATIONS OF \$2 OR MORE ARE TAX DEDUCTIBLE.

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