

Code of Conduct

1. Overview

1.1 Standards of Behaviour

Employees of SBS are expected to abide by the terms and conditions of employment set by SBS.

For most employees this includes any obligations set out in the SBS Certified Agreement, SBS Award, SBS Codes of Practice and various programming and policy documents and Editorial Guidelines.

SBS employees are expected to observe the requirements set out in this Code of Conduct. Refer to 3. Breaches of the Code of Conduct.

1.2 SBS Charter, Purpose and Values

1.2.1 SBS Charter

The principal Charter function of SBS is to:

provide multilingual and multicultural radio and television services that inform, educate and entertain all Australians, and, in doing so, reflect Australia's multicultural society.

The full text of the Charter is available in the SBS Act on the SBS website (and in SBS's *Corporate Plan 2007-2012*).

As a public broadcaster, SBS is accountable to the Australian people through the federal parliament of Australia. This accountability means that SBS must:

- maintain the highest standards of integrity, impartiality and service; and
- be focussed on producing exceptional quality radio, television and online services for all Australians; and
- ensure all SBS services are delivered in an extremely cost effective and professional manner.

1.2.2 SBS Purpose

SBS's Purpose outlines how we put our Charter into effect.

Our Purpose is:

- **Who we are and what we do**

SBS leads the exploration of the real, multicultural Australia and our diverse worlds.

This means:

- We are a pioneering broadcaster, going places that other broadcasters avoid; and
- We reflect real, multicultural Australia – contemporary Australia is multicultural and multilingual; and
- We explore and connect the diverse cultures and perspectives that make up the worlds that we live in.

- **For Whom**

...for all Australians.

This means:

- We are relevant to all Australians and inclusive of a multitude of diverse cultures and perspectives; and
- We are uniquely placed as the only broadcaster that can reach all Australians.

- **How We Do It**

...independently, distinctively and courageously.

This means:

- As an organisation we are independent from external pressures to conform or favour; and
- We are distinctive from other media organisations – there is no other public broadcaster like us; and
- As an organisation we are courageous in what we do.

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1.2.3 SBS Values

SBS's Values articulate how and where we spend our time and resources (our focus), and how we engage with each other, both internally and externally.

At SBS, **we focus on:**

- *Commitment to audience.* This means:
 - delivering to and expanding our audiences' interests; and
 - providing services that are relevant and engaging to our audience.
- *Making a difference.* This means:
 - Taking actions that contribute to a successful SBS; and
 - Making a difference to Australia through our collective actions.
- *Curiosity and creativity.* This means:
 - Seeking, thinking and delivering beyond convention; and
 - Pursuing new ideas and imaginative solutions that support our shared direction.

At SBS, **we engage with each other through:**

- *Collaboration and openness.* This means:
 - Encouraging open discussion and constructive debate; and
 - Working together to grow our enterprise and produce exciting outcomes.
- *Professionalism and responsiveness.* This means:
 - Delivering on our commitments; and
 - Being agile and responsive in making decisions and acting on them; and
 - Upholding the decisions that are made.
- *Honesty, respect and fairness.* This means:
 - Fostering honest, trusting and mutually respectful relationships; and
 - Being fair, clear and transparent in the way we interact with each other.

1.3 SBS Corporate Plan

The SBS Corporate Plan outlines:

- the strategic priorities of SBS; and
- the goals of SBS for the five year period from July 2007 to June 2012; and
- the planning processes implemented to ensure SBS achieves its strategic goals and priorities.

Please refer to *Corporate Plan 2007-2012* for details of SBS's strategic direction and goals.

1.4 Assumptions

This Code of Conduct assumes that employees of SBS will observe and uphold relevant Federal and State laws and policy. Compliance with these laws is a fundamental requirement of employment at SBS.

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2.1 SBS Charter, Purpose and Values

All employees of SBS must, in the course of their employment, uphold and promote the Charter, Purpose and Values of SBS.

2.2 General Behaviour

It is expected that SBS employees will:

- treat other SBS employees and members of the community with honesty, respect, and fairness, courtesy and sensitivity;
- adopt a professional approach when dealing with other SBS employees and members of the community. A professional approach includes using appropriate levels of:
 - skill;
 - care;
 - diligence;
 - impartiality; and
 - conscientiousness;
- comply with any lawful and reasonable direction given by another SBS employee who has

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authority to give it; and

- maintain high standards of work performance.

2.3 Upholding SBS's Reputation

SBS employees must not engage in any act that may compromise the reputation and integrity of SBS.

This includes:

- Not taking advantage of their employment with SBS in a way that may compromise the reputation and integrity of SBS; and
- Being careful not to engage in activities in their private life that could adversely affect the reputation and integrity of SBS.

2.4 Conflict of Interest

"Conflict of interest" can be defined as:

*"an employee having a direct or indirect involvement or interest in any matter or dealing with an external individual or organisation, and from which the employee could receive personal reward, remuneration or any other type of advantage as a result of the relationship of their position and that particular matter or dealing".
(Section 25 SBS Accounting Manual)*

SBS employees must avoid any direct or potential conflict of interest that could compromise SBS, and/or disclose any current or potential conflict of interest to their managers.

It is impossible to formulate an exhaustive set of guidelines regarding what constitutes conflict of interest. Therefore, in determining whether a conflict of interest has arisen or could potentially arise, Managers and/or employees must consider:

- the capacity of the employee to influence the dealings SBS may have with a third party; and
- the level of personal benefit to the employee or third party that may result from exercising that influence; and
- the extent to which the other interests/employment may conflict with their responsibilities and obligations as an employee

of SBS.

Conflict of interest may result from:

- outside employment;
- involvement with political parties and groups;
- associations with community groups;
- financial interest (direct or indirect) in a supplier or SBS contractor;
- involvement with organisations or companies in competition with SBS; and
- holding of company or other directorships.

Some examples of conflict of interest include:

- Working for or at any other media organisation or other competitor of SBS (e.g. Language Services provider);
- Using or misusing any SBS resources for personal, employment or other interests;
- Having a personal interest in a business that provides services to SBS;
- Running for Government office.

An employee must notify their manager if any of the above situations apply to them. In many cases, only the employee concerned will be aware of the potential conflict. Therefore, it is the employee's responsibility to notify their manager of any other situation that may result in conflict of interest.

In respect of disclosure, SBS does not require information on any membership in organisations such as political parties and community groups except where there is a reasonable belief that such membership could give rise to a conflict of interest.

Section 25 of the SBS Accounting Manual outlines procedures that are to be taken to disclose any direct or potential conflicts of interest. SBS expects employees to comply with those guidelines.

Section 4 of the SBS Editorial Guidelines outlines additional guidelines on Conflict of Interest for program makers and content producers. SBS expects program makers and content producers to comply with those guidelines.

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2.5 Harassment, Bullying and Discrimination

SBS's Elimination of Workplace Harassment policy outlines SBS's commitment to providing a workplace that is free from harassment, bullying and discrimination. The policy outlines obligations and expectations of employees, supervisors and managers in the prevention and elimination of workplace harassment, bullying and discrimination.

No harassment, bullying and/or discrimination will be tolerated. In addition to being unlawful, such behaviour is a breach of this Code of Conduct.

2.6 Gifts and Benefits

SBS employees must not improperly use their position, status, power or authority to gain a benefit or advantage for themselves or others. SBS employees therefore must not accept or give gifts and/or benefits except where it is the custom and practice of a particular culture or organisation with which SBS is dealing. If an employee does accept a gift and/or benefit they must ensure that it is accepted on behalf of SBS, and inform their manager.

Section 26 of the SBS Accounting Manual outlines SBS's policy and procedures relating to gifts and benefits. SBS expects all employees to comply with this section. A copy of the Accounting Manual is available on the SBS intranet ("Finance" site).

2.7 Information, Facilities and Resources

SBS employees must use SBS information, facilities and equipment in an efficient, careful and honest manner.

SBS owns all intellectual property in any material developed and/or made by employees in the performance of their duties or in the course of their employment with SBS.

"Material" includes but is not limited to copyright, specific knowledge, documentation, files, processes, technologies, databases, programs, recordings, films, musical compositions, software, trade secrets, etc.

SBS employees may not:

- use SBS's information, property, services or facilities; or
- use material created in the course of their employment

improperly and/or for their own or any other person's or organisation's private benefit or gain. This obligation continues during and after employment with SBS.

SBS employees must be mindful of the public interest and report any misuse of information, facilities or resources to management.

SBS's Computer, Email and Internet Usage Policy outlines acceptable use of information technology resources including computers, email and internet. SBS expects employees to comply with this policy. SBS will not tolerate any breach of this policy. A copy of the Computer, Email and Internet Usage Policy is available on the SBS intranet ("Human Resources" site).

2.8 Privacy and Confidentiality

SBS employees have the duty to maintain the confidentiality, integrity and security of confidential information for which they are responsible.

The *Privacy Act 1988* ("the Privacy Act") governs the collection, storage and security, access and correction, use and disclosure of personal information. The Privacy Act sets out the Information Privacy Principles (IPPs) that govern the way SBS is to manage personal information. SBS employees are subject to certain obligations, under the IPPs and SBS's Privacy Policy, in relation to "personal information" obtained during the course of their employment at SBS.

The Privacy Act defines "personal information" as:

"...information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion."

SBS employees are required to comply with the Privacy Act, IPPs and SBS's Privacy Policy and ensure that any "personal information" obtained by

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them during the course of their employment is not disclosed inappropriately and/or illegally, and that personal information is secured against loss and unauthorised access, use, modification, disclosure or other misuse.

The *Freedom of Information Act 1982* provides a formal mechanism for the lawful disclosure of official information and documents.

In addition to Privacy Act requirements, in the course of employment with SBS, employees may have access to confidential and/or commercial-in-confidence information and/or material that must not be disclosed inappropriately.

SBS's Codes of Practice and Editorial Guidelines provide further guidelines on Privacy for program makers and content producers.

See also 2.10 Public Comment.

2.9 Occupational Health and Safety (OHS)

SBS is committed to providing a workplace which is safe and without risk to health. Accordingly, SBS views this commitment as an individual and collective responsibility of all employees.

SBS employees must not engage in any act, which risks the health and safety of themselves or others, and must not interfere with any systems and/or equipment provided for the purposes of health and safety.

SBS employees are therefore expected to comply with SBS's OHS policies and procedures.

2.10 Public Comment

SBS employees, as members of the community, have the right to make public comment and to enter into public debate. However, there are some occasions where public comment by an SBS employee is inappropriate.

"Public comment" includes views expressed in any forum or media where it might be expected that the comment will spread to the community at large.

SBS makes a distinction between public comment on "SBS matters" and "non SBS matters".

2.10.1 SBS Matters

No SBS employee may make public comment about SBS matters without the authority of the Managing Director or his or her delegate.

"SBS matters" include programming, editorial, employment and management policy and practices, and any other matters relating to SBS's operations.

2.10.2 Non-SBS Matters

SBS is a publicly funded national broadcaster which must be, and be seen to be, objective and impartial. There may be occasions when public comment on non-SBS matters by an employee acting as a private individual could be detrimental to public perceptions of SBS's independence, particularly when the employee has a high public profile.

It is the responsibility of the employee to determine where there is the potential for such a situation to arise and to ensure that their status as a private individual is clearly established before any public comment is made. If the employee is in any doubt, they should seek advice from their manager.

2.11 Fraud

The term 'fraud' is used to describe illegal, unethical, improper or dishonest acts including, but not limited to, deception, bribery, forgery, extortion, corruption, theft, conspiracy, embezzlement, misappropriation, false representation, concealment of material facts and collusion. For practical purposes fraud may be defined as the use of deception with the intention of obtaining an advantage, avoiding an obligation and/or causing a loss to another party.

SBS, as a publicly funded broadcaster with responsibility for the appropriate use of taxpayer funds, will not tolerate any acts of fraud perpetrated by an employee or contractor. SBS will refer any acts of fraud or suspected fraud to the police and criminal or civil actions may be taken against employees or contractors who participate in such unlawful acts.

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SBS is not required to use a criminal conviction and/or prosecution of fraud as the basis for determining whether an act is fraudulent and/or in breach of this Code of Conduct.

Any suspected case of fraud will be investigated by the relevant Manager/Supervisor and may be referred to the SBS Board Audit and Finance committee by the Chief Financial Officer. Any internal investigation should be conducted with reference to the SBS Internal Discussion, Counselling and Misconduct Procedures and Section 22 of the SBS Accounting Manual.

Section 22 of the SBS Accounting Manual outlines the procedures for controlling fraud and cases of suspected fraud. SBS expects employees to comply with this section.

3. Breaches of the Code of Conduct

3.1 What if the code is breached?

This code of conduct is provided so that standards of behaviour expected by SBS are clear to all employees.

Breaches of this code are of serious concern to SBS. Accordingly, an employee who breaches any aspect of the Code of Conduct may be subject to disciplinary proceedings up to and including termination of his/her employment.

3.2 What if I suspect a breach of the Code of Conduct?

If you believe another person is breaching the Code of Conduct, you should discuss this with your immediate supervisor and/or Cost Centre Manager.

4. Further Information

If you are unsure of any aspect of the Code of Conduct you should discuss this with your immediate Supervisor and/or Cost Centre Manager.

If you require further information, you can contact Human Resources on the following numbers:

Director, Human Resources: (02) 9430 3638

**Assistant Director, HR
Radio:** (02) 9430 3637

**Assistant Director, HR
TV and Corporate:** (02) 9430 3370