

PAniC Volunteer Code of Conduct Policy

Version 3.0 Last Updated 12 August 2014

1 Purpose

- 1.1 PAniC is an organisation dedicated to fostering an appreciation of Japanese Animation in Western Australia, by organising and assisting conferences, seminars, workshops, and other events pertinent to the production and consumption of Japanese animation and its printed form, including WaiCon, Perth's Premier Anime Convention.
- 1.2 PAniC relies on volunteers to run these events
- 1.3 As such, volunteers are the first point of contact for the general public engaging with PAniC (PAniC's public face), and therefore must be seen to be behaving in the best interests of PAniC at all times.
- 1.4 In the event a volunteer behaves in a way contrary to this policy, the volunteer will be managed according to the Volunteer Blacklist Policy.

2 Definitions

- 2.1 Behaves – Refers to an action or series of actions undertaken. Intent is not a consideration.
- 2.2 Blacklistable – Behaviour that will result in a volunteer being placed on the Blacklist.
- 2.3 Blacklisted – The status of any individual that has breached any "Offending Acts" and has been placed on the blacklist through the procedure outlined in this policy. Individuals with this status are ineligible to volunteer at any PAniC events for the designated time period.
- 2.4 Blacklisted Person – Any individual that has been blacklisted as per this Policy.
- 2.5 Brand – The intrinsic value of the goodwill, recognisability, reliability, and other intangible assets, inherent in PAniC's name and associated brands, events, and relationships. This is also referred to as "Reputation" for the purposes of this policy.
- 2.6 Event – Any gathering of 4 or more people during which any individual present is undertaking tasks for, or under the instruction of, PAniC, in a voluntary capacity.
- 2.7 PAniC – Perth Anime Convention Inc.
- 2.8 Reporting Person – Any individual that is reporting a person and incident that may result in a Blacklisting. This can include, but is not limited to, volunteers' supervisors, volunteers, board members, or the general public.
- 2.9 Sexual Harassment – Sexual harassment includes any unwelcome behaviour or attention of a sexual nature that could be reasonably expected to make someone feel offended, humiliated or intimidated. This can include, but is not limited to; an unwelcome sexual advance, a request for sexual favours, unwelcome comments about someone's sex life or physical appearance, leering and ogling, sexually offensive comments, stories or jokes, displaying sexually offensive photos, pinups or calendars, reading matter or objects, sexual propositions or continued requests for dates, physical contact such

as touching or fondling, or unnecessary brushing up against someone, indecent assault or rape (these are criminal offences).

2.9.1 Sexual harassment may occur between one volunteer and another, between volunteers and board members, or between volunteers and patrons, suppliers or visitors. It may occur wherever volunteers are interacting with others in the context of their position in the organisation, including any events, general meetings, and social functions.

2.10 Volunteer – Any person giving their time and services to PANiC on a voluntary basis.

3 Volunteers Rights

3.1 Volunteers have the right to freedom from discrimination

3.1.1 This includes, but is not limited to, equal employment opportunity, and freedom from sexual and racial harassment.

3.2 Volunteers have the right to privacy

3.2.1 This includes, but is not limited to, electronic privacy and data protection

3.3 Volunteers have the right to due process

3.3.1 This includes, but is not limited to, during selection, disciplinary procedures, and grievance procedures.

3.4 Volunteers have the right to healthy and safe working conditions

3.4.1 This includes, but is not limited to, safe and hazard free working environments, and co-workers who comply with Occupational Health and Safety regulations.

3.5 Volunteers have the right to freedom of conscience and speech

3.5.1 This includes, but is not limited to, whistleblowing.

4 Volunteers Duties

4.1 Volunteers have the duty to comply with policies, and procedures

4.1.1 Volunteers must be informed of relevant policies and procedures.

4.2 Volunteers have the duty to comply with the law.

4.2.1 This includes, but is not limited to, proving right to work in Australia, and behaviours relating to bribery, theft, occupational health and safety, and sexual harassment.

4.3 Volunteers have the duty to respect PANiC's property.

4.3.1 This includes, but is not limited to, respecting and taking reasonable care with PANiC resources and reputation, and avoiding fraud, theft, and embezzlement.

4.4 Volunteers have a duty to declare any conflict of interest they may have.

4.4.1 This includes but is not limited to, personal and/or professional memberships.

5 Health and Safety

5.1 PAniC is committed to providing a healthy and safe working environment.

5.2 The *Occupational Safety and Health Act 1984* (the OSH Act), together with *Occupational Safety and Health Regulations 1996* (the Regulations), are the principal legislation governing occupational safety and health in Western Australian workplaces.

5.3 Board Members and the Volunteers Coordinator will:

5.3.1 oversee the occupational safety and health performance of Captains and Committees in their areas of responsibility;

5.3.2 communicate to Captains and Committees any hazards of which they become aware and for which principals and line managers have responsibility; and

5.3.3 support Captains and Committees in implementing safety and health measures, and in resolving safety and health issues within their areas of responsibility

5.4 Captains will:

5.4.1 identify occupational safety and health hazards, and assess risks in the workplaces under their responsibility, and implement effective preventative measures;

5.4.2 use the Incident Report Form to record investigations of reports of occupational safety and health hazards, accidents/incidents and injuries at the workplace, and to identify and implement immediate and ongoing controls to manage risks to volunteers;

5.4.3 notify the volunteer reporting the occupational safety and health hazard, accident or incident of the outcome of the investigation and the intended action to be taken;

5.4.4 consult with volunteers about safety and health matters;

5.4.5 confirm that all volunteers have been provided with occupational safety and health induction and relevant training to enable them to undertake their work safely;

5.4.6 keep records of all occupational safety and health issues and incidents that may become subject of a claim, complaint, grievance or resolution; and

5.4.7 make a report to the Board as soon as possible after an accident/incident results in a liability claim.

5.5 Volunteers will:

5.5.1 take reasonable care for their own safety and health at work;

5.5.2 avoid adversely affecting the safety and health of others at work;

5.5.3 follow all instructions and safe working procedures established to protect their safety and that of others;

- 5.5.4 wear personal protective equipment as required; and
- 5.5.5 report all identified hazards and accidents/incidents in the workplace to their line manager.

6 Sexual Harassment

6.1 Policy Statement:

- 6.1.1 Sexual harassment is unlawful. PAniC does not tolerate sexual harassment in any form. Every volunteer, board member, and captain has a responsibility to ensure that sexual harassment does not occur.
- 6.1.2 Anyone found to have sexually harassed another person will be subject to disciplinary action that may include an apology, counselling, transfer of duties and/or blacklisting.
- 6.1.3 Reports of sexual harassment will be treated promptly, seriously and confidentially. Complainants have the right to determine how a complaint will be treated. They also have the right to have a supporter or representative chosen by them involved in the process and the option to stop the process at any time.
- 6.1.4 The alleged harasser also has the right to have a supporter or representative chosen by them present when he/she responds to the allegations made.
- 6.1.5 No volunteer or board member will be treated unfairly as a result of making a complaint of sexual harassment. Immediate disciplinary action will be taken against anyone who victimises or retaliates against someone who has made a complaint of sexual harassment.
- 6.1.6 PAniC will afford natural justice to any person involved in a dispute.

6.2 Complaints:

- 6.2.1 A volunteer or board member who believes they have been harassed (the complainant) should:
 - 6.2.1.1 if comfortable to do so, inform the alleged harasser the behaviour is offensive, unwelcome, against the organisation's policy and should stop
 - 6.2.1.2 make a note of the date, time and location of the incident/s
 - 6.2.1.3 if not comfortable to confront the alleged harasser or if unwelcome behaviour continues, report to the captain or co-captain in your area.
 - 6.2.1.4 if this is inappropriate, speak to another senior member of the organisation, such as the volunteers coordinator, or a member of the board.

6.3 The sexual harassment contact will follow the procedures set out below. At any time the complainant has the right to discontinue this process.

6.4 When a complaint is received, the sexual harassment contact will:

- 6.4.1 Obtain and record a full, step-by-step account of the incident/s.
- 6.4.2 Ensure the organisation's process for handling the complaint is understood.

- 6.4.3 Ascertain the complainant's preferred outcome, e.g. an apology, the behaviour to cease, a change in working arrangements.
 - 6.4.4 Agree on the next step: informal resolution or formal investigation.
 - 6.4.5 Keep a confidential record of all details of this discussion and subsequent steps in the process.
- 6.5 Where a complainant has chosen informal resolution, following an informal process the sexual harassment contact will:
- 6.5.1 inform the alleged harasser of the complaint and provide an opportunity to respond
 - 6.5.2 ensure both parties understand their rights and responsibilities under the organisation's policy
 - 6.5.3 if possible, mediate an outcome that is satisfactory for the complainant
 - 6.5.4 ensure that confidentiality is maintained
 - 6.5.5 follow up to ensure the behaviour does not re-occur.
- 6.6 If a formal investigation is requested by the complainant, or if an informal resolution fails, the *sexual harassment contact* will escalate the matter to a senior member of the organisation.
- 6.6.1 That person will:
- 6.6.1.1 afford natural justice to all involved
 - 6.6.1.2 interview all directly concerned, separately
 - 6.6.1.3 interview witnesses, separately
 - 6.6.1.4 keep records of the interviews and investigation
 - 6.6.1.5 ensure confidentiality and minimise disclosure
 - 6.6.1.6 make a determination as to whether there is sufficient evidence that a reasonable person could conclude, on the balance of probabilities (i.e. it's more likely than not), that an incident/incidents of sexual harassment as defined by the legislation has occurred
 - 6.6.1.7 in such a case, determine appropriate action, which may include a change of duties for the harasser, change to working arrangements or, where the incidents were frequent and/or severe, dismissal
 - 6.6.1.8 where it cannot be determined by the required test, that an incident/incidents of sexual harassment as defined by the legislation has occurred, may still take action to ensure the proper functioning of the workplace; but these actions should not prejudice any party. They will also continue to closely monitor the situation and provide retraining where required
 - 6.6.1.9 check to ensure the action meets the needs of the complainant and organisation.

6.6.1.10 Outcomes as they affect the complainant will be discussed with the complainant to ensure that needs are met, where appropriate.

6.7 Any proven incidence of harassment will result in the harasser being blacklisted if requested by the complainant, in addition to any other measures necessary to ensure the healthy and safe working conditions of all volunteers.

6.8 Any volunteer who has been harassed may choose to take their complaint to the Western Australian Equal Opportunity and Human Rights Commission.

7 Discrimination

7.1 PAniC is committed to ensuring that the working environment is free from discrimination and harassment.

7.2 PAniC aims to :

7.2.1 Create a working environment which is free from discrimination and harassment and where all members of staff are treated with dignity, courtesy, and respect.

7.2.2 Implement training and awareness raising strategies to ensure that all employees know their rights and responsibilities.

7.2.3 Provide an effective procedure for complaints based on the principles of natural justice.

7.2.4 Treat all complaints in a sensitive, fair, timely and confidential manner.

7.2.5 Guarantee protection from any victimisation or reprisals.

7.2.6 Encourage the reporting of behaviour which breaches the discrimination and harassment policy.

7.2.7 Promote appropriate standards of conduct at all times.

7.3 Discrimination and harassment occur when a person is discriminated against or harassed in the workplace and in certain areas of public life:

7.3.1 because of their race, colour, descent or national or ethnic origin, as defined under the *Racial Discrimination Act 1975*

7.3.2 or because of their sex, marital status, pregnancy as defined under the *Sex Discrimination Act 1984*

7.3.3 or because of a disability as defined under the *Disability Discrimination Act 1992*

7.3.4 or because of age as defined under the *Age Discrimination Act 2004*

7.3.5 and other grounds under the *Australian Human Rights Commission Act 1986*.

- 7.4 It is the role of the captains, volunteer's coordinator, and board members, to ensure volunteers and patrons are not harassed or discriminated against within the workplace or "in connection with" PANiC.
- 7.5 It is the responsibility of every board member, captain, and volunteer, to not participate in discriminatory or harassing behaviour within the workplace or "in connection with" PANiC.
- 7.6 Any incidence of unlawful discrimination will result in the responsible volunteer being blacklisted, in addition to any other measures necessary to ensure the health and safety of all volunteers.