



International Centre for Missing &  
Exploited Children, Australia Ltd  
(ABN 86 645 682 828)

Code of Conduct

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## **1. Introduction**

### **1.1 Background**

The International Centre for Missing and Exploited Children, Australia Ltd (ICMEC AU) is committed to maintaining the highest ethical standards in the conduct of its business activities and it is expected that employees, contractors, interns, volunteers, employees of labour hire organisations, suppliers, and directors (collectively referred to as Workplace Participants) be familiar with and are committed to meeting these standards. Acting ethically and responsibly goes well beyond mere compliance with legal obligations and involves acting with honesty, integrity, and in a manner that is consistent with the reasonable expectations of the broader community. It includes being, and being seen to be, a 'good corporate citizen', for example by:

- (a) respecting the human rights of its employees;
- (b) creating a safe and non-discriminatory workplace;
- (c) demonstrating a strong commitment to child protection and survivor trauma awareness;
- (d) dealing honestly and fairly with suppliers and clients;
- (e) acting responsibly towards the environment; and
- (f) only dealing with business partners who demonstrate ethical and responsible business practices.

### **1.2 Purpose**

The purpose of this Code of Conduct (Code) is to establish clear expectations, guidelines, and standards of behaviour for the ICMEC AU Workplace Participants. It reflects our mission and values and connects them to professional behaviour standards. This Code aims to promote integrity, transparency, accountability, and professionalism in all activities related to ICMEC AU, ensuring that the Workforce Participants act in the best interest of ICMEC AU and its stakeholders.

The Code also provides assurance to stakeholders, including partners, donors, and others, that ICMEC AU holds itself accountable to the highest standards of integrity and professionalism and reinforces its commitment to ethical conduct throughout the organisation.

- (a) This Code clearly states the standards of responsibility, and ethical conduct expected of you as a Workplace Participant of ICMEC AU. It applies both within and outside of the workplace, and where you can be perceived as representing ICMEC AU.
- (b) The Code requires Workplace Participants to adhere to the law and various policies of ICMEC AU. The standards set out in this Code cannot, and do not try to, anticipate every situation which may pose a legal, ethical or moral issue. Therefore, the Code is not a prescriptive set of rules for business behaviour, but rather a practical set of principles giving direction and reflecting ICMEC AU's approach to business conduct.
- (c) To the extent of any inconsistency between this Code and the Fair Work Act 2009 (Cth) as amended from time to time (the Act), the provisions of the Act shall prevail.

- (d) You need to exercise sound judgment when evaluating an issue of business conduct. If you are in any doubt, you should seek advice from your manager, Company Secretary, ICMEC AU CEO or your first point of contact (for consultants and suppliers) before taking any action which may compromise yourself, or ICMEC AU.
- (e) The Code operates in conjunction with ICMEC AU's policies and your contract of employment, or contract for service in the case of contractors, including post-employment or post-engagement obligations.

### **1.3 Values**

The Code is underpinned by a set of organisational values that inform the behaviors of all directors, employees, and contractors at all times. These values are published on our website.

Where necessary, the values can be used to assist in both the interpretation and application of the Code.

## **2. Principles and Commitments**

### **2.1 Business Ethics**

You must conduct yourself with openness, honesty, care, integrity and in the best interests of ICMEC AU in all business transactions and in all dealings with others including suppliers, employees, donors, governments, and the general public.

This means that you:

- (a) must not make promises or commitments which to your knowledge ICMEC AU is unable to, or does not intend to, honour;
- (b) must not use ICMEC AU's name or your position for personal gain;
- (c) must act with due care and diligence and in accordance with ICMEC AU's values in fulfilling the functions of your office or employment; and
- (d) should not engage in conduct which may bring discredit upon ICMEC AU.

### **2.2 Giving and accepting business courtesies**

- (a) You must not give, seek or accept in connection with ICMEC AU's operations any gifts, meals, refreshments and entertainment which goes beyond or is unrelated to, ordinary and proper course of business. Pro bono or low bono goods and services are able to be accepted, as long as you avoid everything that could reasonably be construed as a bribe or improper inducement.
- (b) Any personal gift, entertainment or other personal favour or assistance given or received which has a value in excess of an amount determined by the Board (\$100 as at December 2023), as referenced and updated in the [gifts register](#) maintained by the Company Secretary and approved by the CEO. Any gift not declared may be viewed as a bribe.
- (c) The rationale for this restriction is that the offer or acceptance of a gift can create an obligation or be construed or used by others to allege favouritism, discrimination, collusion or similarly unacceptable practices by ICMEC AU. Financial and other inducements

- (d) Offering a bribe to a government official and the receipt of a bribe by a government official is prohibited under Australian law (including the Criminal Code Act 1995, and the laws of most countries). Australia is a signatory to the OECD Convention Combating Bribery of Foreign Public Officials in International Business Transactions and has enacted legislation prohibiting the offering of anything of value to foreign public officials which enables it to prosecute its citizens and corporations for the bribery of public officials in other countries.
- (e) A contravention of anti-bribery legislation has serious consequences, such as imprisonment or fines.
- (f) You should not make any payments or payments in kind (gifts, favours, etc.) to influence individuals to award business opportunities to ICMEC AU or make business decisions in ICMEC AU's favour.

### **2.3 Mutual respect**

You are expected to treat with courtesy, care and respect your colleagues, clients, suppliers, donors, and anyone else with whom you interact in your work.

### **2.4 Ethical conduct**

- (a) You must act ethically in your approach to business decisions.
- (b) In negotiating and administering contracts and other business relationships, you are expected to be fair and reasonable. You must not behave in any way that is, or might be construed as being harsh, oppressive, unconscionable, unethical, coercive or dishonest.

## **3. Professional and personal conduct**

### **3.1 Compliance with laws and regulations**

- (a) You must comply with all laws and regulations relating to your business conduct and ICMEC AU's operations. This includes being familiar with the duties and responsibilities applying to you under the laws relevant to ICMEC AU and in the context of your role in ICMEC AU.
- (b) Any activities carried out by yourself or ICMEC AU outside Australia must comply with the foreign laws which may apply to any activities or operations.
- (c) The laws that govern ICMEC AU's business activities may be complex. You are encouraged to contact the Company Secretary if you are unclear about laws or regulations relating to your work.

### **3.2 Privacy and intellectual property**

- (a) You may have access to records which contain information that may be of a personal nature, or that ICMEC AU has obtained to assist in the management of the business. This information is private and confidential and may not be disclosed to any unauthorised third party.
- (b) All intellectual property that you generate in relation to ICMEC AU and its activities is the property of ICMEC AU. You are responsible for protecting ICMEC AU's intellectual property rights.

### **3.3 Confidentiality and control of information**

- (a) You must ensure that you do not disclose any Confidential Information or Proprietary Information to any third party or other employee who does not have a valid business reason for receiving that information.
- (b) “Confidential Information” in this context means information that ICMEC AU considers private and that is not generally available outside ICMEC AU.
- (c) “Proprietary Information” in this context means information that ICMEC AU owns, develops, pays to have developed or to which it has an exclusive right.
- (d) If Confidential Information or Proprietary Information is required to be provided to third parties or other employees for valid business purposes, ICMEC AU and its employees must:
  - i. take adequate precautions to ensure that information is only used for those purposes for which it is provided and is not misused or disseminated to ICMEC AU’s detriment; and
  - ii. ensure that the information is returned or destroyed when the purpose is complete.
- (e) Such precautions include obtaining a confidentiality agreement or other undertaking before provision of information. Advice about these measures can be obtained from the Company Secretary.
- (f) You must:
  - i. return all ICMEC AU property including any documents or Confidential Information or Proprietary Information, on termination or on the request of ICMEC AU or its representative; and
  - ii. if requested by ICMEC AU or its representative, destroy or delete any Confidential Information or Proprietary Information stored in electronic, magnetic or optical form so that it cannot be retrieved or reconstructed.

### **3.4 Corporate opportunities**

You must obtain written approval from the CEO prior to pursuing or benefiting from business opportunities arising as a result of your position within ICMEC AU or the use of ICMEC AU’s property or information.

### **3.5 Financial integrity**

- (a) ICMEC AU has stringent financial accounting procedures that are overseen by the Board. Therefore:
  - i. the use of ICMEC AU funds or assets for any unauthorised or unethical purpose, including for the advantage of others is prohibited. No undisclosed funds or assets of ICMEC AU have, or will be, maintained or established for any purpose;
  - ii. no false or misleading entries may be made in the books or records of ICMEC AU for any reason; and
  - iii. no payment on behalf of ICMEC AU may be made or approved on the understanding that it will or might be used for something other than the stated purpose.
- (b) You must ensure that:

- i. ICMEC AU's financial books, records, reports and statements properly document all assets, liabilities, and revenue; and
- ii. expenses accurately reflect all transactions of ICMEC AU and are retained in accordance with ICMEC AU's policies and all applicable laws and regulations.

### **3.6 Personal conduct**

You are expected to adhere to the following standards of personal conduct:

- (a) act honestly, in good faith and in the best interests of ICMEC AU as a whole;
- (b) use due care and diligence in fulfilling the functions of your position and exercising the powers attached to your employment;
- (c) attend and undertake your work without being under the influence of drugs, alcohol or other substances or being distracted by personal business or other interests; and
- (d) protect any ICMEC AU assets under your control and not use them for personal purposes, without ICMEC AU's prior approval.

### **3.7 Business agreements and contracts**

ICMEC AU expects to fairly and ethically pursue all business opportunities. If you are involved in the negotiation of agreements on behalf of ICMEC AU or an entity controlled by ICMEC AU:

- (a) you must ensure that you act in accordance with the law;
- (b) all statements, communications and representations made to clients, suppliers, partners, and others with whom you undertake business transactions, should be accurate and truthful and must not be misleading or deceptive;
- (c) all appropriate approvals must be obtained before any agreements are executed; and
- (d) you acknowledge that ICMEC AU is committed to meeting all of its contractual obligations and accordingly you are expected to know, understand, and honour the terms of ICMEC AU's contractual obligations that are relevant to your role.

### **3.8 Avoiding or managing conflicts of interest**

- (a) A conflict of interest arises when a person is in a position which requires them to balance their own interests or the interests of others (such as friends or relatives) against the interests of ICMEC AU. You must fully and promptly declare relationships when participating in decisions affecting another person with whom you have a personal or professional relationship which may lead to potential or actual conflicts of interest.
- (b) If you have any doubt about conflicts of interest, you should contact the Company Secretary.
- (c) Board members of ICMEC AU must disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of ICMEC AU and to seek to manage risk as highlighted in the ICMEC AU [Conflict of Interest Policy](#).

### **3.9 ICMEC AU, its contractors and employees**

- (a) ICMEC AU actively supports the principle of equal employment opportunity regardless of race, religion, national origin, sex, age, physical disability, marital status or sexual orientation and expects everyone to practise and support this principle.
- (b) ICMEC AU believes that every individual has the right to dignity and respect in the workplace. Therefore, ICMEC AU regards any personal, physical or sexual harassment as totally unacceptable. That sort of behaviour is unacceptable regardless of whom the perpetrator is, and may lead to the termination of their employment. The use of any medium (including email or the Internet) to disseminate material which is sexually explicit, defamatory, vulgar, or racist is prohibited. The use of ICMEC AU facilities to access material which is sexually explicit, defamatory, vulgar, or racist is also prohibited. These policies are further detailed in ICMEC AU's [Respect in the Workplace Policy](#) and apply to you regardless of your position.

### **3.10 Other policies regulating employee and contractor behaviour**

- (a) ICMEC AU has policies and procedures which govern conduct of its business and operations. Contractors and employees are expected to make themselves familiar with the ICMEC AU's policies and procedures and to adhere to those policies in conducting business or operations on behalf of ICMEC AU.
- (b) You are also expected to know, and always act within, the limits of your authority to speak on behalf of ICMEC AU and to commit ICMEC AU to business transactions or to make other commitments on behalf of ICMEC AU.

## **4. Protecting Children from Harm and Survivor Trauma Awareness**

### **4.1 Protecting Children from Harm**

ICMEC AU is committed to the protection and welfare of children. Regardless of your role within ICMEC AU, you bear the responsibility of prioritising activities that will lead to the safety, and well-being of children. By adhering to these core principles and commitments, the ICMEC AU Board sets the standard for unwavering dedication to protecting children from harm and the creation of a safe and secure environment for children.

- (a) Background checks and screenings: all offers of employment are subject to a police background check and the obtaining a Working With Children Check (WWCC). Board members, interns, volunteers, and independent contractors at ICMEC AU may also be required to undergo these checks at the discretion of ICMEC AU. These checks will be renewed at least every five years. It is your responsibility to ensure that you advise ICMEC AU if you no longer satisfy the conditions of a valid WWCC, or if a new police or background check would identify something new that may impact our ability to protect children..
- (b) Communication Guidelines: ICMEC AU adheres to the [Luxembourg Guidelines](#), which provides essential standards for the proper use of child protection terminology. It is imperative that you familiarise yourself with these guidelines to ensure the responsible and sensitive use of language in



child protection matters. Refer to the ICMEC AU's [communication guidelines](#) for further details.

#### **4.2 Trauma Awareness including for Survivors of Child Abuse**

ICMEC AU promotes trauma-informed awareness to ensure a safe and supportive environment for all individuals, including survivors of trauma and child abuse.

- (a) As a Workplace Participant of ICMEC AU you shall demonstrate a commitment to trauma awareness and sensitivity in your interactions and work related to ICMEC AU. You shall strive to be aware of the impacts of trauma on individuals and act with empathy, respect, and care when engaging with survivors of trauma.
- (b) ICMEC AU is dedicated to promoting trauma-informed practices and policies to ensure a safe and inclusive workplace. We aim to create an environment where survivors of child abuse, and all team members, can find understanding, support, and empowerment.
- (c) As part of our commitment to trauma-informed care, ICMEC AU provides trauma awareness training to all employees, directors and key partners. This training will equip our team with the knowledge and skills needed to approach trauma with sensitivity and to foster a workplace culture that is supportive and nurturing.

### **5. Other matters**

#### **5.1 Reporting of suspected fraudulent or unethical behaviour**

- (a) If you suspect that any fraudulent or unethical behaviour has occurred, or are concerned that any conduct by any director, officer, contractor or employee may be in breach of applicable law or this code, you should report it in line with the ICMEC AU's [Whistleblower Policy](#).

#### **5.2 Consequences for breaching the Code**

- (a) All suspected breaches of the Code will be thoroughly investigated by ICMEC AU. If these investigations reveal breaches of the Code, appropriate disciplinary and remedial action will be taken, depending on the nature of the breach. This will range from providing the director, senior manager, contractor or employee with training, coaching and counselling through to formal warnings and/or to termination.
- (b) ICMEC AU reserves the right to inform the appropriate authorities where it is considered that there has been criminal activity or an apparent breach of the law.

#### **5.3 More information**

If there are any questions regarding any aspect of this Code, please contact the Company Secretary.

#### **5.4 Amendment of policy**

This Code of Conduct can only be amended with the approval of the Board.

### **5.5 Adoption of Policy and Board review**

- (a) This Code of Conduct was adopted by the ICMEC AU Board on 6 December 2023, and takes effect from that date and replaces any previous policy in this regard.
- (b) The Board will review this Code of Conduct annually. The Company Secretary will communicate any amendments as appropriate.
- (c) This Code of Conduct is available on ICMEC AU's website.