

Code of Conduct

For Council, Committee and Staff Members

Adopted by Council 8 December 2008
(amended by Council 31 January 2012)

Introduction

The Law Society of Western Australia's (Society) Code of Conduct (Code) governs the conduct of the Society's Council, Committee members and staff.

Purpose of the Code

The purpose of the Code is not to restrict a person's rights, but rather to be certain that they understand what conduct is expected and necessary as a Council or Committee member or staff member of the Society. The Code establishes the minimum appropriate standards for the honest and ethical behaviours.

The Society recognises that the Code is not a replacement for any act or regulation. If there is a conflict between the Code and the provisions of any act, the latter provisions prevail.

The Council President, the Committee Convenor or Chief Executive Officer will ensure that the Code is brought to the notice of all applicable Council, Committee and staff. Council, Committee members and staff must observe the Code and behave in accordance with its provisions.

In view of the open and accountable environment within which the Society operates, the code occupies an important role in promoting good governance.

Code of Conduct

The Code requires that all Council, Committee and staff members:

- maintain appropriate standards of conduct and at all times, act ethically, honestly, responsibly, diligently and with integrity;
- maintain fairness and equity in decision making;
- act in the best interest of the Society and any Trusts to which the Society is a Trustee;
- uphold the integrity and good reputation of the Society;
- adhere diligently to the Society's vision and objectives;
- will not engage in conduct likely to bring discredit upon the Society;
- use the powers of office for proper purpose and Society's resources in a proper manner;
- act with care and due diligence in fulfilling the functions of office and exercising the powers attached to the office;
- keep confidential any information received in the course of performing their duties;
- disclose, and take reasonable steps to avoid actual, perceived, or potential conflict of interest;
- do not accept benefits or gifts or entertainment when the situation could be perceived as creating an obligation;
- do not make improper use of inside information or their duties, status, power or authority in order to gain or seek to gain, a benefit or advantage of ourselves or any other person;
- work as a respectful member of a cooperative team and set a high standard of behaviour;
- act in full compliance with the spirit, as well as letter, of the law, policies and the principles of this code.

Breaches of the Code

All Council, Committee and staff members have a responsibility to adhere to this code and to ensure that no breaches occur. Any breaches of this code may result in disciplinary action. If the situation involves a breach of law or regulation, the matter may also be referred to an appropriate law enforcement authority for consideration.

Reporting of and enquiries into breaches of the Code

If a Council, Committee or staff member suspects that a breach of the Code has occurred, or will occur, he or she must immediately report that breach to either the President if the person is a member of the Council or to the Convenor of the Committee to which the person is a member, or to the Chief Executive Officer if the person is a staff member.

If the breach is a matter which relates to the President or Convenor, then the breach should immediately be reported to either the Senior Vice President of the Council or the Deputy Convenor of the Committee. If the breach is a matter which relates to the Chief Executive Officer then the breach should immediately be reported to the President.

All reports will be acted upon and kept confidential. No member will be disadvantaged, or prejudiced if he or she reports in good faith a suspected breach of a law, regulation or the Code.

The person to whom the breach has been reported to, the enquirer, will undertake enquiries into the matter and determine if a breach has occurred.

If, after enquiry, the enquirer is satisfied that a breach of the Code has occurred, the enquirer will prepare a confidential report to Council or the Committee on the matter. The nature of any disciplinary action will then be determined by the Council or the relevant Committee, depending on the seriousness of the breach and other relevant circumstances.

Compliance and Review of the Code

The Chief Executive Officer is responsible for the administration, implementation and periodic review of the Code.