

CODE OF CONDUCT

Prepared by the WLANSW Governance Subcommittee

Approved by the WLANSW Executive Committee on 14 October 2020

Effective from 15 October 2020

PREAMBLE

The Women Lawyers' Association of New South Wales (**WLANSW**) is the peak professional body representing women lawyers in New South Wales and has been committed to improving the status and working conditions of women lawyers since 1952.

This Code of Conduct sets out the expected minimum standards of conduct of all Members of the WLANSW.

As the peak professional body representing women lawyers in New South Wales, the WLANSW requires adherence to this Code of Conduct as a condition of membership to ensure that all its Members, in the course of performing work or appearing on behalf of the WLANSW:

- maintain their professionalism;
- adhere to high conduct standards;
- contribute to the growth and development of a safe and inclusive environment for all its Members including those that identify as LGBTQI+;
- comply with Commonwealth and New South Wales legislation that prohibits discrimination against a person on the basis of age, disability, race, sex, intersex status, gender identity and sexual orientation in different areas of public life;
- do not to engage in conduct that is likely to be prejudicial to, or diminish the public confidence in, the administration of justice; and
- do not engage in conduct that is likely to bring the legal profession into disrepute.

Principal Sponsor:



ARTICLES

1. All Members of the WLANSW will:
 - (a) respect, uphold and champion the Objects of the WLANSW;
 - (b) comply with this Code of Conduct, the WLANSW Constitution, the WLANSW Governance Framework and any policies that may apply to Members of the WLANSW;
 - (c) treat other Members, stakeholders and all that come into contact with the WLANSW fairly, equally, considerately and respectfully;
 - (d) assist in the creation and maintenance of an environment free from all forms of harassment, discrimination and bullying;
 - (e) respect diversity, different roles and boundaries;
 - (f) use non-discriminatory and inclusive language, with particular sensitivity to correct and consistent pronoun use as requested by each individual;
 - (g) be led by individuals regarding their particular needs, recognising that each experience is unique and personal;
 - (h) contribute to the WLANSW by making their skills, experience and knowledge available to it;
 - (i) respect organisation, committee and individual confidentiality;
 - (j) use the WLANSW's resources responsibly, and when claiming expenses will do so in compliance with the WLANSW's procedures;
 - (k) act in the best interests of the WLANSW as a whole, be accountable for their actions as a Member of the WLANSW and avoid bringing the WLANSW into disrepute; and
 - (l) actively engage in discussion, debate and voting in meetings and events as appropriate, contributing in a considered and constructive way, listening carefully and challenging sensitively, and accepting majority decisions or the passing of a Special Resolution.
2. Eligibility for membership and participation at events of the WLANSW will not be restricted by the sex a person was assigned at birth.
3. The WLANSW will not collect unnecessary personal information, and any information that is collected will only be disclosed if necessary and in accordance with the law.
4. Complaints and any failure to comply with this Code of Conduct, the WLANSW Constitution, the WLANSW Governance Framework and any other policies that may apply to Members of the WLANSW will be dealt with in accordance with the Complaints and Investigations Policy that appears as Schedule 1 to this Code of Conduct.
5. Amendments to this Code of Conduct must be approved by the WLANSW Executive Committee.

SCHEDULE 1 – COMPLAINTS AND INVESTIGATIONS POLICY

Women Lawyers Association of New South Wales

Complaints and Investigations Policy pursuant to Article 2.23 of the WLANSW Constitution

1. Introduction

1.1 Purpose

This policy provides for the handling of complaints made by Members against other Members arising from alleged breaches of the WLANSW Constitution, the Code of Conduct, the Governance Framework and any policies that may apply to Members of the WLANSW.

This policy is intended to ensure that WLANSW handles complaints fairly, efficiently and effectively.

1.2 Scope

This policy applies to all Members of WLANSW.

2. Terms and Definitions

In this policy:

Complaint means an expression of dissatisfaction made to or about WLANSW or a Member where a response or resolution is explicitly or implicitly expected or required by the WLANSW Constitution, the Code of Conduct, the Governance Framework or any other policies of WLANSW;

Complaint handling/management system means all policies, procedures, practices, staff, Members, hardware and software used by WLANSW in the management of complaints; and

Policy means a statement or instruction that sets out how the policies of WLANSW will be implemented and by whom.

3. Guiding principles

3.1 No detriment

WLANSW will take all reasonable steps to ensure that Members making complaints are not adversely affected because they made a complaint.

3.2 Anonymous complaints

WLANSW accepts anonymous complaints and will carry out a confidential investigation of the issues raised if determined necessary by the WLANSW Executive Committee.

3.3 Accessibility

WLANSW will ensure that the complaint handling/management system is easily understood and accessible to all Members, particularly those Members who may require assistance.

3.4 Confidentiality

WLANSW will protect the identity of a Member making a complaint where this is practical and appropriate. Personal information that identifies individuals will only be disclosed or used by WLANSW as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

4. Complaint investigation process

4.1 Complaints will be investigated and determined by the WLANSW Executive Committee, with the assistance of the WLANSW Executive Officer, in accordance with the following process:

(a) Receipt

- i. The WLANSW Executive Officer will promptly acknowledge receipt of complaints, preferably within 14 days.
- ii. Where possible, complaints will be resolved at first contact with the WLANSW Executive Committee. If a complaint cannot be resolved at this initial stage, the Executive Officer of the WLANSW will record the complaint and its supporting information.
- iii. The record of the complaint will identify:
 1. the name of the Member, if not made anonymously, making the complaint and the date received;
 2. issues raised by the Member making the complaint and the outcome/s they want;
 3. any other relevant information; and
 4. any additional support the Member making the complaint requires.

(b) Initial assessment

- i. WLANSW will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised.
- ii. WLANSW will consider whether the issue/s raised in the complaint are within the control of WLANSW.
- iii. WLANSW will also consider outcome/s sought by the Member making the complaint and how the complaint will be managed.
- iv. In making its assessment, WLANSW will consider:

1. how serious, complicated or urgent the complaint is;
2. whether the complaint raises health and safety issues;
3. how the Member making the complaint is affected;
4. the risks involved if resolution of the complaint is delayed; and
5. whether a resolution of the complaint requires the involvement of other organisations.

(c) Communication with complainant

- i. WLANSW will inform the Member who has made the complaint as soon as possible, of the following:
 1. the complaints process;
 2. the expected timeframes for actions;
 3. the process of the investigation; and
 4. the possible or likely outcomes of their complaint.
- ii. WLANSW will keep the Member making the complaint up to date with the progress of the investigation as necessary.

(d) Investigation

- i. After assessing the complaint, WLANSW will consider how to manage it.
- ii. WLANSW may:
 1. give the Member making the complaint information or an explanation;
 2. gather information about the issue or person that the complaint is about; or
 3. investigate the claims made in the complaint.

(e) Determination

Following consideration of the complaint, and any investigation into the issue/s raised, WLANSW will determine the appropriate outcome, in accordance with the WLANSW Constitution, the Code of Conduct, the Governance Framework, and any other applicable policies of WLANSW.

(f) Notice of Determination

At the conclusion of the investigation and determination of the outcome, WLANSW will contact the Member making the complaint and advise them of:

- i. the outcome of the complaint and any action taken;
- ii. the reason/s for that decision; and
- iii. the remedy or resolution that WLANSW propose to put in place.

4.2 There will be no appeal from, or external review of, a determination of a complaint.