

# **Regional Processing Centre Guidelines**

## **Service Provider – Service Provider Code of Conduct (Organisation)**

### **1. Introduction**

- (a) When providing any services to the Department or Transferees, the Service Provider, its Personnel and Subcontractors must observe and maintain the standards of conduct outlined in this document which are fundamental to the successful performance of the Site.
- (b) The purpose of this document is to provide an ethical framework to guide the Service Provider, its Personnel and Subcontractors in their decisions, actions and behaviour. It supports values that include integrity, honesty and fairness.
- (c) Workplace culture is shaped by values, attitudes and behaviours of the people who work in it. Employers and employees have shared obligations for maintaining respectful, courteous and safe workplaces.
- (d) All employees need to be aware of and be sensitive to the needs of transferees. Many of our transferees have extremely complex, challenging and emotional situations. All employees must demonstrate professional behaviour when dealing with transferees. Employees should not hesitate to seek help from supervisors or security staff if a situation appears to be getting beyond their control.
- (e) The Code of Conduct must be included as a key focus within the initial training course for all Service Provider Personnel and Subcontractors. The Code of Conduct must also be integrated into other training and development programs, particularly leadership development, management and supervisor training.
- (f) Specific reference to the Code of Conduct must be made in all job descriptions and manager's performance agreements, and it will be a key focus area of performance reviews and development discussions

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between Service Provider Personnel, or Subcontractors and their managers.

- (g) All Service Provider Personnel and pre-approved Subcontractors must be provided with a hardcopy of the Code of Conduct which they must read, consider and sign. Additional copies must be made available to Service Provider Personnel throughout staff amenities on Site.
- (h) Implementation of the Code of Conduct will be regularly and critically evaluated through audits, staff surveys (including exit interviews) and through other appropriate mechanisms. The results may be taken into account for the purpose of determining whether the Service Provider has met its obligations and any relevant Key Performance Indicators.

## 2. Standards of Conduct

### (a) An Open and Accountable Organisation

In carrying out its duties, the Service Provider, its Personnel and any Subcontractors must:

- (i) behave honestly and with integrity;
- (ii) be open and accountable for their decisions, actions and omissions;
- (iii) disclose, and take all reasonable steps to avoid any conflict of interest (real or apparent) in connection with their duties;
- (iv) create and maintain open and honest communications with other service providers, with a view to delivering a truly integrated service to Transferees based on shared information, feedback and best practice;
- (v) not make improper use of information, in order to gain, or seek to gain, a benefit or advantage for themselves or any other person;
- (vi) not make improper use of their status, power or authority, in order to gain, or seek to gain, a benefit or advantage for themselves or any other person;
- (vii) at all times behave in a way that maintains the values, integrity and good reputation of the Regional Processing Centre and its stakeholders;
- (viii) avoid any practice or activity which could be foreseen to bring the Regional Processing Centre or its stakeholders into disrepute; and
- (ix) report any behavior that breaches the Code of Conduct and all allegations and/or possible incidents of criminal activity, corruption,

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dishonesty, unlawful conduct and conflicts of interest.

**(b) Fair and Reasonable Dealings with Transferees**

In carrying out its duties, the Service Provider, its Personnel and any Subcontractors must:

- (i) act fairly and reasonably in all of their dealings;
- (ii) not provide false or misleading information in response to a request for information;
- (iii) respect privacy and confidentiality; and comply with its obligations under any Confidentiality Deed and the Deed of Non-disclosure of Personal Information which they have signed;
- (iv) ensure Transferees are not subject to discrimination on any ground, including race, colour, gender, sexual orientation, religion, political or other opinion, national social origin, status or disability; and
- (v) facilitate access by Transferees to internal and external complaint mechanisms, and process requests promptly and in a fair and equitable manner.

**(c) Well Trained and Supported Personnel**

In carrying out its duties, the Service Provider, its Personnel and any Subcontractors must:

- (i) comply with all applicable Australian Laws, Australian Government Policies and local laws notified to them from time to time;
- (ii) comply with any lawful and reasonable direction given by Departmental Managers or anyone else who has authority to give the direction;
- (iii) demonstrate awareness of sensitivity, interest in and public scrutiny of, the regional processing environment, and, with this in mind, conduct themselves in an appropriate manner at all times whether on or off duty;
- (iv) use the facilities contained in the Site, the Department equipment and systems in a proper manner; and
- (v) comply with any other conduct requirement that is prescribed by Regulations, Determinations and/or Directions.



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**(d) Duty of Care and Case Management**

In carrying out its duties, the Service Provider, its Personnel and any Subcontractors must:

- (i) act with care and diligence;
- (ii) take actions and comply with procedures to maintain a safe working environment;
- (iii) not be under the influence of or display the after effects of drug and/or alcohol consumption;
- (iv) ensure the requirements for individual transferees and transferee groups are managed in accordance with specific needs for example health, age, and gender;
- (v) in respect of any children or unaccompanied minors in the Site, ensure they receive appropriate and individual care; and
- (vi) be alert for Transferees who are or appear to be, traumatised and/or vulnerable to self-harm and/or to the actions of others, and to manage and report on these.

**(e) Supportive Culture**

In carrying out its duties, the Service Provider, its Personnel and any Subcontractors must:

- (i) support and promote a stable and harmonious environment, and seek to resolve situations and tensions peacefully;
- (ii) treat everyone with respect and courtesy, and without harassment of any kind;
- (iii) be supportive and helpful to Transferees who wish to seek legal or other external advice in relation to their immigration status;
- (iv) conduct all duties, particularly safety and security procedures, sensitively, enabling Transferees to maintain their dignity, and with respect for their individual circumstances and backgrounds;
- (v) share information with other service providers as to the individual needs of Transferees as these needs are identified;

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- (vi) behave in a tolerant, respectful and culturally sensitive manner towards Transferees and their visitors and avoid perceptions of discrimination and bias;
  - (vii) show understanding, respect and sensitivity for religious beliefs and conventions of each Transferee and their particular needs; and
  - (viii) show due regard for the Property of Transferees ensuring that it is not damaged and is treated with appropriate cultural sensitivity.
- (f) **Promoting a Healthy Environment**
- In carrying out its duties, the Service Provider, its Personnel and any Subcontractors must:
- (i) take actions and comply with procedures to maintain a healthy environment;
  - (ii) support and promote a healthy physical, environmental and psychological environment by seeking to resolve issues peacefully and in a timely manner;
  - (iii) support the delivery of a broad range of appropriate and culturally responsive services for Transferees that have a positive effect on emotional well-being;
  - (iv) behave in a manner that respects and promotes the physical and psychological well-being of Transferees; and
  - (v) respect the natural environment in and surrounding the Site.
- (g) **Providing Appropriate Amenities**
- In carrying out its duties, the Service Provider, its Personnel and any Subcontractors must:
- (i) be aware of and monitor Transferees with special needs, including children, the elderly and infirm;
  - (ii) ensure Transferees are treated individually, given respect and provided with as much personal privacy as is reasonably possible; and
  - (iii) ensure Transferees receive timely and equitable access to the relevant services.

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(h) **Complaints About Conduct**

- (i) Copies of the Code of Conduct will be displayed prominently throughout the Site at all times.
- (ii) The Code of Conduct will be explained to Transferees and copies will be provided to them.
- (iii) The Department and the Service Provider are committed to fair, transparent and timely resolution of complaints from Transferees regarding breaches of this Code of Conduct.
- (iv) Transferees must be informed of their rights and are able to comment on or complain without limitation or fear of punishment:
  - (A) about any matter relating to Site conditions or breach of this Code of Conduct, to the Service Provider, its Personnel and/or Subcontractors, the Department or Host Government representative/s;
  - (B) in the case of a suspected criminal offence, to the police; or
  - (C) in the case of suspected child abuse, to the relevant welfare agency.
- (v) Complaints made by Transferees to the Service Provider, its Personnel and/or Subcontractors that are either expressed to be for the attention of a third party (including those agencies referred to in **clause 2(h)(iv)(A)** above) or are deemed by the Department and/or the Service Provider to be more appropriately resolved by a third party, will be forwarded to the relevant agency in a timely fashion and in accordance with applicable Law.
- (vi) Information on the right to complain is displayed prominently throughout the Site at all times and is also available to Transferees on request.
- (vii) All complaints to the Service Provider, its Personnel and Subcontractors, or the Department will be investigated and an initial response provided to the complainant within seven working days.
- (viii) As part of this process, all relevant information will be considered and interviews may be undertaken by the Service Provider with its Personnel or Subcontractors. All Service Provider Personnel and Subcontractors will cooperate fully with such interviews and any requests for information.

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- (ix) Following investigation, if necessary, the Service Provider may take corrective or disciplinary action against Service Provider Personnel or Subcontractors who have breached the Code of Conduct.
  - (x) The Service Provider must notify the Department of any complaint about the conduct of Service Provider Personnel or Subcontractors within 12 hours of the complaint.
- (i) **Inconsistencies with the Code**
- (i) The obligations contained in this Code of Conduct are subject to:
    - (A) any contrary express contractual obligations under the Contract;  
and
    - (B) any contrary directions given by Departmental Officers.

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