



CODE OF CONDUCT FOR BOARD MEMBERS

Policy Reference	GOV01
Date of initial Board Adoption	10 November 1999
Minutes Reference	08:062025
Date of Audit Committee Endorsement (if applicable)	N/A
Date last reviewed by Eastern Health Authority Board of Management	25 June 2025
<i>Related Document Reference</i>	EHA Charter 2.2 & 2.3

1. Introduction

This Code of Conduct (this Code) outlines the principles of appropriate behaviour and the standards of conduct that the Members of the Board of Management (the Board) of Eastern Health Authority (EHA) have committed to uphold.

The standards set forth in this Code are supplementary to any legal requirements outlined in the *Local Government Act 1999* or any other applicable Acts or Regulations relevant to the Board Members of EHA in carrying out their functions, roles and responsibilities.

2. Statement of Commitment

As Members of the Board of EHA, we are dedicated to fulfilling our responsibilities diligently and to the best of our abilities. We will never misuse our position, or any information obtained during the course of our duties.

In carrying out our roles, we will act with honesty and integrity, ensuring our conduct fosters community trust and confidence in us as individuals, while also strengthening the role and reputation of EHA.

In addition to all legal obligations, we, the Board of EHA, commit to adhering to this Code and accept the standards of behaviour outlined herein as the principles we will follow in performing our functions, duties, and responsibilities.

3. Principles of this Code of Conduct

As Members of the Board of EHA we will –

3.1 Role of a Board Member

- Demonstrate commitment and diligently perform our duties conscientiously and to the best of our ability.
- Act fairly, honestly and appropriately, in compliance with the law.
- Exercise reasonable care and diligence in fulfilling of our functions, duties and responsibilities.
- Act in good faith, avoiding any improper or ulterior motives.
- Be mindful of laws dealing with conflict of interest in relation to all our duties and behaviours and exercise the highest level of integrity expected of people holding public office
- not misuse our positions to gain an advantage for ourselves or others or to cause detriment to EHA
- at all times behave in a manner that maintains and enhances the image of EHA and/or does not reflect adversely on EHA
- Make impartial decisions and take responsibility for the outcomes of those decisions.

3.2 Relationships

- Treat others in a fair, just and non-discriminatory manner in all interactions.
- Foster a team-oriented approach when collaborating with EHA employees, creating an environment of mutual respect and trust.
- Treat EHA staff with respect, recognising and valuing their distinct roles in achieving EHA's objectives.
- Build positive working relationships with fellow Board Members of EHA, acknowledging diverse perspectives and striving for the best outcomes for the community.
- Ensure that our behaviour in interactions with other Board Members EHA employees is respectful and free from any form of bullying or harassment.
- Uphold and promote the values of EHA in all our interactions.

3.3 Information

- Not use information gained through our position as a Member of the Board of EHA for any purpose other than fulfilling our roles and responsibilities as Board Members.
- Respect and uphold confidentiality, ensuring that we never disclose to any person or organisation any documents or information that the Board of EHA has determined should remain confidential, that have been providing to us with an clear indication of their confidentiality, or that we should reasonably recognise as confidential and require protection.

3.4 Communication

- Act with fairness and honesty in all interactions with individuals and organisations, fostering constructive communication between the Board of EHA and the community.
- When speaking to the media, clearly distinguish that we are sharing our personal opinion, and not the official stance of EHA, unless authorised by the CEO to represent the Board.
- In expressing personal views, show respect for the decisions of EHA, fellow Board Members and EHA employees.
- In our interactions with Board Members, EHA employees, and the community, make sure every effort to ensure that our communication, whether written, verbal, or otherwise, is respectful and not offensive, defamatory, or harmful to any individual.

4. Complaints

A complaint regarding the behaviour of a Member of the Board under this Code will be investigated and appropriate action taken to address the complaint and to minimise the likelihood of further violations of this Code. EHA has established a procedure for managing such complaints, which is attached to this policy.

Any person who believes a breach of this Code of Conduct may have occurred is encouraged to bring details to the attention of the Chief Executive Officer of EHA via telephone (8132 3600) or e-mail (mlivori@eha.sa.gov.au).

A disclosure of public interest information can be made in accordance with EHA's Public Interest Disclosure Procedure.

5. Further Information

The public may access this Code on EHA's website (www.eha.sa.gov.au) and at the EHA's principal office at 101 Payneham Road, St Peters.

For any questions regarding this Code, please contact Chief Executive Officer of EHA via telephone (8132 3600) or e-mail (mlivori@eha.sa.gov.au).

6. Statement of Adoption and Review

This Code of Conduct was adopted by the Board on 10 November 1999 and has been reviewed on a regular basis since that time.

This revision was adopted by the Board of Eastern Health Authority on 25 June 2025.

EHA may at any time alter this Code or substitute a new Code of Conduct.



EASTERN HEALTH AUTHORITY BOARD MEMBER COMPLAINTS HANDLING PROCEDURE

Procedure Reference	GOVP03
Date of initial Board Adoption	10 November 1999
Minutes Reference	08:062025
Date of Audit Committee endorsement (if applicable)	N/A
Date last reviewed by Eastern Health Authority Board of Management	25 June 2025
Applicable legislation	EHA Charter 2.2 & 2.3

1. Introduction

Eastern Health Authority (EHA) has established a Code of Conduct for Board Members, which outlines the principles of good conduct and standards of behaviour that the Board Members (the Board) have committed to uphold. The standards are supplementary to any statutory requirements of the *Local Government Act 1999* or any other relevant Act or Regulation that apply to Board Members in the performance of their functions, roles, and responsibilities.

This procedure details the process EHA will be following the event a complaint is made under the Code of Conduct.

This procedure is in addition to the Public Interest Disclosure Procedure adopted by EHA which may apply to a complaint made under the Code of Conduct (the Code). In circumstances where the public interest disclosure procedure applies, if there is any inconsistency between this procedure and the Public Interest Disclosure Procedure, the latter will prevail to the extent of the inconsistency.

2. Behaviour Contrary to the Code of Conduct

EHA is committed to supporting members in complying with the Code and to thoroughly investigating and addressing any complaints related to the Code.

3. Complaint Handling Process

3.1 Making a Complaint

A complaint made by an individual regarding an alleged breach of the Code must:

- be submitted in writing;
- identify the provision(s) of the Code that are alleged to have been breached and provide all available evidence that supports the allegation(s); and
- be delivered to the Chief Executive Officer of EHA (the CEO) (or any person acting in the role of CEO).

The receipt of the complaint will be acknowledged to the complainant within 3 days of where practicable.

3.2 Notification of Complaints and Confidentiality Procedures

The Member of the Board who is the subject of the complaint will be notified within 3 days of receipt of the complaint and of its substance, unless the complaint is referred to the Office for Public Integrity in accordance with the Independent Commissioner Against Corruption's Directions and Guidelines for Public Officers or it is otherwise not possible or practicable to do so.

The complaint will be treated with strict confidentiality as permitted or required by law until such time as it has been fully investigated and finally determined.

The complainant will be informed that he or she must also observe confidentiality with respect to the complaint.

On receipt of a complaint the CEO must bring the fact of the complaint (but not the detail of the allegations) to the attention of the Board as soon as possible.

3.3 Assessment of Complaint

The CEO will evaluate whether the complaint presents a potential issue regarding:

- corruption in public administration;
- serious or systemic 'misconduct in public administration; or
- serious or systemic maladministration in public administration, (as those terms are defined in the *Independent Commissioner Against Corruption Act 2012*).

If the complaint must be reported to the Office for Public Integrity, it will be submitted in accordance with the Independent Commissioner Against Corruption's Directions and Guidelines for Public Officers. An investigation of the complaint under this procedure will only occur with the concurrence of the Independent Commissioner Against Corruption.

3.4 Investigation of Complaint by an Investigator

The CEO will initiate an investigation into a complaint alleging a breach of the Code by appointing a person or body to conduct the investigation on EHA's behalf.

- 3.4.1 The investigator may determine that no further action is necessary if the complaint is deemed trivial, frivolous, or vexatious. In such cases the investigator will prepare a report outlining the decisions and submit to the CEO.
- 3.4.2 If the investigator considers that an investigation into the complaint is appropriate, they will ensure that:
- 3.4.2.1 the investigation will be a thorough and impartial assessment of the available evidence regarding the alleged breach, the relevant circumstances at the time of the alleged breach, and any other factors deemed necessary to make a fair and reasonable judgement on the matter;
 - 3.4.2.2 the Board Member who is the subject of the complaint will be given a reasonable opportunity to respond to and ` submissions on the allegations to the investigator;
 - 3.4.2.3 the investigator must take all reasonable steps to ensure a written report of the investigation is submitted to EHA within fourteen days of receiving submissions from the both the complainant and the Board Member who is the subject of the complaint, or within such longer period as the Board may determine;
 - 3.4.2.4 if the investigator determines that additional time is required to conclude the investigation and finalise the report, they must inform EHA at the earliest opportunity, and no later than before the expiration of the fourteen-day timeframe; and
 - 3.4.2.5 upon receipt of the final report from the investigator, EHA must provide a copy of the investigation report to both the to the Board Member who is the subject of the complaint and the complainant on a confidential basis.

3.5 Determination of Complaint

- 3.5.1 The final report of the investigator will be presented at a meeting of EHA in confidence (ie with the public excluded), in accordance with Section 90(3) of the Local Government Act 1999. If the matter is considered in confidence, then the Board can resolve to issue an order of confidentiality regarding the final report. Exceptions to this order regarding confidentiality may include:
- (a) the provision of the final report and Board's decision regarding the complaint to both the Board Member who is the subject of the complaint and the complainant; and
 - (b) if applicable, for the purposes outlined in clause 3.5.4.5.
- 3.5.2 If the final report recommends the imposition of a penalty or sanction, the Board Member who is the subject of the complaint will be given a reasonable opportunity to their views on the proposed penalty or sanction. These submissions must be considered by the Board when determining the appropriate penalty or sanction to impose.
- 3.5.3 Upon receiving the final report of the investigator, the Board (excluding the Board Member the subject of the complaint) will determine an appropriate penalty or sanction to impose if a breach of the Code is found.

3.5.4 EHA may impose one or more of the following penalties or sanctions if a breach of the Code is found:

3.5.4.1 censure the Board Member;

3.5.4.2 request a public apology from the Board Member regarding the breach;

3.5.4.3 request the Board Member undertake a particular training course or receive appropriate instruction relevant to the breach;

3.5.4.4 make a recommendation under the Charter for EHA to the constituent council of which the Board Member is a member, that the constituent council terminate the Board Member's appointment to the Board of EHA.;

and in any such case the Board may:

3.5.4.5 report the complaint to the constituent councils and provide them with a copy of any report prepared by the investigator; and

3.5.4.6 make a public announcement regarding the matter, including details of the complaint, the findings and any penalty or sanction (if any) imposed on the Board Member.

4. Confidentiality & Procedural Fairness

All investigations into an alleged breach of the Code will be carried out confidentially, except where disclosure is required by law. The information and documents related to the matter remain confidential until a final report is presented to the Board, at which point the Board may consider whether to keep the information and documents relating to the matter confidential.

The principles of procedural fairness must be upheld from the moment the complaint received and throughout the investigation until the final determination. The final report must demonstrate due process and provide clear reasoning for any conclusions and recommendations.

5. Further Information

The public may access this Procedure on EHA's website (www.eha.sa.gov.au) and at the EHA's principal office at 101 Payneham Road St Peters.

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