



Behavioural Standards Policy

Section 1 - Purpose and Objectives

(1) This Behavioural Standards Policy sets out the required standards of behaviour for all CFA members and Labour hire contractors.

(2) CFA is committed to fostering an environment that is free from discrimination, harassment, bullying or violence and where all CFA members and labour hire contractors are treated with dignity and respect.

(3) CFA expects all CFA members and labour hire contractors to work safely and cooperatively for the benefit of the Victorian community and in keeping with the CFA values which include teamwork, integrity, respect, safety and being adaptable.

(4) Those CFA values include guiding principles of working cooperatively in inclusive teams, acting with integrity at all times, being truthful, open and honest, and treating everyone fairly and with respect, including other CFA members, CFA visitors and members of the public.

(5) The policy sets out the required standards of behaviour for all CFA members and labour hire contractors whenever they are performing work for or on behalf of CFA or undertaking CFA activities. This policy has been developed to complement relevant existing values, codes of conduct, and policies, including (but not limited to) the:

- a. CFA Values;
- b. [VPS Code of Conduct](#) (employees only);
- c. Volunteer Code of Conduct (volunteer members only);
- d. [Fraud and Corruption Prevention and Control Policy](#)
- e. Health Safety Environment and Wellbeing Policy;
- f. [Child Safety and Wellbeing Policy](#)
- g. CFA Values & Behaviours Policy;
- h. Chief Officers Command Philosophy.

Section 2 - Scope

(6) All CFA members and labour hire contractors are required to comply with this policy as:

- a. a lawful and reasonable direction issued from CFA to all CFA employees;
- b. The Chief Officer has the order and control of all brigades, groups of brigades, officers, members of brigades under Section 27 of the Country Fire Authority Act 1958. This policy is issued by the Chief Officer under Section 27 and Section 20AA (General Powers of the Authority) of the Country Fire Authority Act 1958.
- c. a direction to all CFA labour hire contractors in accordance with the applicable contract.

(7) All CFA members and labour hire contractors are required to comply with this policy whenever they are performing work for or on behalf of CFA or otherwise representing CFA (CFA Activities). This includes when:

- a. acting in the capacity of a CFA member or labour hire contractor;
- b. attending or participating in any CFA or CFA sponsored activity or event. This includes:
 - i. incidents, training, or other community relations events;
 - ii. functions or events organised by a brigade or brigade social committee, competitions, training courses (whether or not they are conducted on CFA premises) and meals provided at, or social gatherings held in conjunction with, meetings, training courses or other events;
 - iii. any CFA sponsored event;

(8) on CFA Premises which includes fire stations, workshops, training facilities, district offices, regional offices, headquarters, and the ground surrounding or immediately adjacent to those premises. It also includes CFA vehicles, boats and aircraft.

(9) wearing a CFA uniform, whether on duty or otherwise;

(10) holding themselves out as a CFA member or Labour hire contractor. This includes when a person describes themselves as a CFA member or labour hire contractor or implies their association with CFA. This includes, for example, posting an image of themselves in CFA uniform or identifies their association with CFA, including online and in online forums (e.g. Facebook and What's App).

Section 3 - Policy

(11) All CFA members and Labour hire contractors must comply with the following behavioural standards whenever they are performing work for or on behalf of CFA or undertaking CFA Activities.

General behavioural standards

(12) CFA members and Labour hire contractors must:

- a. act in accordance with the CFA Values and guiding principles;
- b. comply with CFA reasonable and lawful directions and orders of the Chief Officer or his/her delegate(s);
- c. comply with all requirements and directions of CFA regarding safety, including regarding psychological health;
- d. act in accordance with law;
- e. act to promote the safety of children and young people from all forms of abuse and harm
- f. act with integrity;
- g. be courteous and respectful;
- h. be truthful, open and honest;
- i. treat others fairly and with respect;
- j. be prepared to work cooperatively in inclusive teams;
- k. acting in the interests of CFA and the community including where you have a competing interest;
- l. generally, act in a decent and appropriate manner that will promote the reputation and standing of CFA.

General behavioural prohibitions

(13) CFA members and labour hire contractors must not engage in inappropriate behaviour or conduct, including (but not limited to):

- a. breaches of State or Federal law;
- b. acts of negligence, neglect of duty or disobedience;

- c. breaches of any applicable CFA policies and procedures;
- d. breaches of any applicable CFA requirements, lawful and reasonable directions or orders of the Chief Executive Officer, Chief Officer or their delegate(s)
- e. Breaches of confidentiality (including with regard to any concerns, grievances or complaints);
- f. repeated lateness or absenteeism without reasonable excuse or lateness or absenteeism causing disruption to planned activities;
- g. offensive, disorderly or threatening behaviour;
- h. damage to or theft of property;
- i. engaging in unsafe work practices or any action which endangers the mental or physical health or safety of others within the workplace;
- j. harassment or bullying (see below),
- k. sexual harassment, prohibited discrimination, or victimisation (see below);
- l. being under the influence of drugs or alcohol whilst at CFA premises or during performance of CFA duties;
- m. aggressive acts and/or physical violence (including threats);
- n. fraud or other criminal activity;
- o. identification of a public interest discloser/whistleblower or information that is likely to lead to the identification of a such a person under the relevant legislation (e.g. [Public Interest Disclosures Act 2012](#) or [Taxation Administration Act 1953](#)). Note – doing so may also be an offence;
- p. misuse of social media or online behaviour involving other CFA members and labour hire contractors; or
- q. any other conduct that would reasonably be expected to damage the reputation and standing of CFA.

Interactions with Children and Young People (Persons under 18)

(14) Without limiting the general obligations, particular care needs to be taken in any dealings with or interactions with children or a young person. CFA members and labour hire contractors must:

- a. ensure that they act in a respectful and courteous manner around any child or young member or with whom they come into contact during the course of their duties.
- b. recognise that there is an inherent power imbalance between adults and children, and the responsibility lies with the adult to promote the safety and wellbeing of the child or young person.
- c. avoid any behaviour with a child or young person in the presence of a child or young person (in person or online) which would be deemed to constitute physical, psychological or sexual abuse including grooming or neglect.
- d. CFA is a child-safe organisation that is committed to creating safe and supportive environments for children and young people participating in our programs, more information about child safety responsibilities and the behaviour expected to meet these responsibilities can be found in the CFA Child Safety Behaviour Statement.

Bullying and Harassment

(15) CFA members and labour hire contractors must not engage in bullying or harassment.

What is bullying?

(16) Bullying is repeated, unreasonable behaviour directed towards another person(s) that creates a risk to health and safety.

(17) Bullying can take many forms, and it may be obvious or subtle. Bullying can be directed downwards (from a more senior person to a more junior person), sideways (between persons of the same seniority) or upwards (from a more junior person to a more senior person).

(18) Examples of bullying include (but are not limited to):

- a. verbal abuse, including making threats, swearing and shouting, or humiliation through sarcasm or insults;
- b. cyber bullying, bullying on electronic platforms including social media;
- c. bullying through other conduct, such as setting unreasonable deadlines or deliberately withholding information that is vital for work performance, or excluding someone from activities that they should ordinarily be involved in; or
- d. hazing or unreasonable initiation processes.

What is not bullying?

(19) A single instance of any of the above type of behaviours may not constitute bullying, however, depending on the conduct it may still be unlawful, may be considered harassment (as defined below) or otherwise be regarded as behaviour that is inconsistent with CFA's values and not tolerated.

(20) Reasonable management action, carried out in a reasonable manner, is not bullying. For example, bullying does not include:

- a. issuing reasonable and lawful directions;
- b. setting reasonable performance goals, standards and deadlines;
- c. appropriate performance management or monitoring;
- d. failure to congratulate or praise an individual simply for doing their job;
- e. making a merit-based recruitment or selection decision;
- f. comments which are objective and indicate observable deficiencies in performance or conduct; or
- g. constructive feedback or counselling that is intended to assist CFA members to improve their work performance or the standard of their behaviour.
- h. occasional differences of opinion, non-aggressive conflicts and problems in working relations also, do not by themselves, constitute bullying.

What is harassment?

(21) Harassment is unwelcome behaviour, which a reasonable person could anticipate would intimidate, humiliate or offend the other person(s) in those particular circumstances.

(22) Harassing behaviour does not have to be intentional and can range from serious to less serious levels. One-off incidents can still constitute harassment.

(23) Harassment may include (but is not limited to):

- a. racial vilification, including insulting jokes about particular racial groups;
- b. making derogatory comments or taunts about someone's race, age, or religion;
- c. making fun of someone's personal circumstances, personal appearance or mental or physical disability or gender or sexual preference or identity;
- d. making remarks about a person's skin colour or ethnic traits;
- e. unreasonable comments about a person's poor work performance in front of peers;
- f. using racist slang, phrases or nicknames;
- g. sharing inappropriate or offensive material; or
- h. engage in lawful industrial activity.

(24) Harassment can also occur if someone is working in a hostile or intimidating environment. An example of a

potentially hostile working environment is where racist materials are displayed and where crude conversations, innuendo or offensive jokes are part of the accepted culture. CFA Staff are encouraged to actively prevent the development or continuation of any hostile working environment, even if the conduct in question was not specifically targeted at them.

Sexual Harassment

(25) CFA members and Labour hire contractors must not engage in sexual harassment.

What is sexual harassment

(26) Sexual harassment is any unwelcome behaviour of a sexual nature, which a reasonable person could anticipate would intimidate, humiliate or offend the other person(s) in those particular circumstances. Sexual harassment includes unwelcome sexual advances or unwelcome requests for sexual favours.

(27) Sexual harassment does not have to be repeated and motive or intention are not relevant. That is, the fact that someone didn't intend to sexual harass another person does not mean that it is not sexual harassment.

(28) Examples of sexual harassment include:

- a. uninvited sexually suggestive touching or gestures;
- b. making jokes or comments with sexual connotations or sex-based insults, taunts, teasing or name-calling;
- c. displays of sexually graphic material including posters, cartoons or messages left on notice boards, desks, computer screens, through social media groups or in common areas;
- d. staring or leering at a person, or at parts of their body;
- e. repeated invitations to go out after prior refusal;
- f. persistent questions or insinuations about a person's private life; or
- g. criminal behaviour such as stalking, sexual assault or rape

What is not sexual harassment?

(29) Consensual behaviour that is based on mutual attraction, friendship and respect does not constitute sexual harassment.

(30) Sexual harassment is prohibited under the [Equal Opportunity Act 2010](#) and the [Sex Discrimination Act 1984](#).

Discrimination

(31) CFA members and labour hire contractors must not engage in prohibited discrimination.

What is prohibited/unlawful discrimination?

(32) Prohibited discrimination is the unfair or unequal treatment of an individual on the basis of one or more of the following actual or assumed protected attributes:

- a. age
- b. disability
- c. employment activity
- d. expunged homosexual conviction
- e. gender identity
- f. industrial activity
- g. lawful sexual activity

- h. marital status
- i. parent and carer status
- j. physical features
- k. political belief or activity
- l. pregnancy and breastfeeding
- m. profession, trade or occupation
- n. race
- o. religious belief or activity
- p. sex
- q. sex characteristics
- r. sexual orientation
- s. spent conviction
- t. personal association with someone who has, or is assumed to have, one of these personal characteristics
- u. Any other attribute prescribed or protected by relevant legislation (e.g. Defence Reserve Service (Protection) Act or The Bankruptcy Act 1966)

(33) Discrimination can be direct, where a person treats, or proposes to treat, a person with a protected attribute unfavourably because of that attribute.

(34) Discrimination can also be indirect, where a person imposes, or proposes to impose, a requirement, condition or practice that has the effect of disadvantaging persons with an attribute and is unreasonable.

(35) Discrimination does not have to be repeated. Further, it is irrelevant whether a person who discriminates is aware of the discrimination or whether the person intends to discriminate.

(36) Examples of prohibited discrimination include (but are not limited to):

- a. treating someone less favourably because of their gender or their race or age;
- b. making recruitment or selection decisions on the basis of a protected attribute, rather than merit, and where no formal legal exemption is obtained (e.g. an exemption to the prohibition on discrimination so as to meet gender equity targets);
- c. failing to offer overtime to an individual due to assumptions about their family responsibilities; or
- d. failing to provide training opportunities because of a person's gender.

What is not prohibited/unlawful discrimination?

(37) Treating someone differently is not necessarily prohibited discrimination. An action is not prohibited discrimination if it is:

- a. permissible under anti-discrimination legislation, for example with respect to requiring the fulfilment of the inherent requirements of a role, or not making adjustments that would impose an unjustifiable hardship on CFA;
or
- b. a legitimate, reasonable and fair action to direct and control how work is done, or to ensure health and safety.

(38) Discrimination on the basis of the protected grounds is unlawful under the [Equal Opportunity Act 2010](#) and Commonwealth legislation.

Victimisation

(39) CFA members and labour hire contractors must not engage in victimisation.

(40) Victimisation occurs where a person is retaliated against or is subjected to a detriment because they:

- a. have raised a concern, grievance or complaint,
- b. they threaten to raise a concern, grievance or complaint; or
- c. they are involved in a concern, grievance or complaint (for example, as a witness) of any kind, including in relation to any process under an enterprise agreement, the CFA [Complaints Resolution Policy](#) or any other relevant procedure, instrument or law (such as Public Interest Disclosures or Whistleblower disclosures).
- d. In some circumstances, victimisation of persons protected by relevant legislation (such as Public Interest Disclosers or Whistleblowers) may be a criminal offence.

What if this policy is breached?

(41) Breach of this policy may constitute misconduct, serious misconduct (as defined in the applicable Enterprise Agreement) and/or disgraceful or improper conduct (including under the CFA Regulations) and a breach of duties owed to CFA.

(42) A breach of this policy may result in disciplinary consequences, including:

- a. Informal or formal counselling
- b. training
- c. a performance plan (employees only)
- d. being held out of duty (CFA volunteers only);
- e. admonishment or reprimand;
- f. removal from office or suspension;
- g. cancellation of membership (CFA volunteers only).
- h. Termination of employment (employees only)

(43) Breach of this policy by FRV Secondees will be referred to the Fire Rescue Commissioner as required by the secondment agreement between CFA and FRV. In the event of a breach by an officer seconded to CFA from another agency the matter will be referred to that agency for appropriate action and/or CFA may act to end the secondment.

(44) Any breach of this policy by a CFA member or labour hire contractor may also lead to other consequences as set out in legislation, or under civil and criminal law. Where appropriate a matter may be referred to Independent Broad-based Anti-corruption Commission (IBAC) or to Victoria Police.

How can you raise concerns and complaints?

(45) All CFA members and Labour hire contractors are encouraged to call out behaviour that is inconsistent with this policy.

(46) Any CFA member or labour hire contractor who believes they have been subjected to or witnessed behaviour that breaches this policy may raise a concern or make a complaint in accordance with the CFA [Complaints Resolution policy](#) or procedure.

(47) The making of knowingly false, vexatious or frivolous complaints may constitute misconduct, serious misconduct and/or disgraceful or improper conduct, (including under the CFA Regulations), and a breach of duties owed to CFA.

Where can you get more information?

- a. If you have any queries, or would like more information about the Behavioural Standards Policy you can visit the [Behavioural Standards page on Members online](#).

Section 4 - Definitions

(48) For commonly defined terms refer to the CFA [centralised glossary](#).

Detriment includes (without limitation) any of the following:

- a. dismissal of a CFA member;
- b. injury of an employee of their employment;
- c. alteration of an CFA member's position or duties to their disadvantage
- d. discrimination between an employee and other employees of the same employer
- e. harassment or intimidation of a person
- f. harm or injury to a person, including psychological harm
- g. damage to a person's property
- h. damage to a person's reputation
- i. damage to a person's business or financial position
- j. any other damage to a person.

Section 5 - Related Documents

(49) [Complaints Resolution Policy](#)

(50) [Complaints Resolution Procedure](#)

Status and Details

Status	Current
Effective Date	5th July 2024
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Approval Authority	Chief Executive Officer
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Accountable Officer	Torbjorn Servin General Manager People and Culture
Responsible Officer	Tracey Waiomio Head of People Experience
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Glossary Terms and Definitions

"CFA member" - Refers to all CFA volunteers, volunteer auxiliary workers, officers, employees and secondees.

"CFA employee" - Any person who is directly employed by CFA, including those employees on a fixed term or casual employment contract.

"CFA volunteer" - An officer, member, or volunteer auxiliary worker who receives no remuneration for their services in relation to a brigade but does not include an officer or member of an industry brigade.

"FRV Secondee" - An officer or employee of Fire Rescue Victoria made available to CFA under section 25B of the FRV Act.

"Labour hire contractor" - Personnel provided by a staffing agency for a fee. These personnel are employees of the agency and not CFA.

"Young person" - A person under the age of 18.