

CODE OF CONDUCT: PERSONAL CONDUCT

1. INTRODUCTION

The Code of Conduct: Personal Conduct (The Code) has been developed to uphold the high degree of safety, respect, integrity, professionalism, culture and impact the Association strives to achieve to achieve and maintain, in support of its Mission. The Code provides all Association stakeholders with guidance and support to engage in conduct which is safe, respectful, responsible, professional, reliable and ethical.

2. APPLICATION

National Precast Concrete Association Australia is the peak body representing the manufacturers of precast concrete products in Australia. With a role of representing and promoting the precast concrete industry, National Precast's initiatives include, among other member services, the organisation, facilitation and attendance of meetings, workshops, exhibitions and other industry events.

The Code covers all parties participating in Association or broader industry-related activities, whether acting on behalf of the Association or whether it may be known that the party is involved with the Association in any way, including:

- Association staff;
- Consultants or other individuals engaged by the Association;
- Individuals who act as representatives or staff of member companies;
- Individuals who act as directors of the Association;
- Individuals who are Individual members of the Association;
- Guests invited to participate in Association activities; and
- Volunteers and representatives acting as agents of the Association.

3. SCOPE OF COMPLIANCE

This Code sets out the minimum professional standards of behaviour and probity (the Professional Standards) that National Precast Concrete Association Australia (the Association) expects all parties to the Code to meet when:

- interacting with other members of the Association;
- interacting with staff and consultants of the Association;
- participating in any Association or broader industry-related activity such as representations to government and other person or bodies, or when contributing to any committee or working group and the like;
- attending any Association event or broader industry-related event, such as meetings, dinners, site or factory tours, exhibitions, seminars, workshops and the like; and
- interacting with media.

The Code is supported by, but does not exclude or replace, common and statutory rights and obligations or requirements prescribed in relevant legislation, regulations or industrial instruments, or in any ethical and professional codes. To that end, individuals must observe and obey, and stay informed about the laws of Australia and any jurisdiction in which Association business is conducted.

4. MODE OF COMPLIANCE

The Code applies to conduct exhibited in all circumstances by parties to the Code, including (but not limited to) personal interaction, in meetings, via phone and electronic communications (including social media), and in written and published material.

The Code applies to all of the Association's activities whether within Australia or off-shore, subject to the operation of relevant legislation in Australia and overseas.

The Code applies when a party to the Code is performing official Association duties at any location, at or away from their normal place of work, or inside or outside of normal business hours.

5. CONDUCT PROTOCOLS

As with other organisations, the image and reputation of the Association is determined in large part by the way its members, employees and consultants are seen to behave. The Association's people are its ambassadors and can enhance or diminish the Association's reputation by their conduct.

The basis of this Code has been founded on three conduct principles, namely, safety, respect and integrity.

Safety

National Precast is committed to safety in all of our activities and expects all individuals to act in a way which not only protects their own safety, but also reasonably protects the safety of others.

Individuals must also take reasonable care to protect the physical and natural environment, including reporting hazards and risks and using resources in a manner that does not harm the environment.

Individuals engaging in any Association or broader industry activity must conduct themselves to strive for no accidents, no harm to people and no damage to the environment. Individuals must comply with applicable laws in this regard.

Basic rules of safety when participating in any Association or industry related activity:

- Individuals must not consume alcohol or be under the influence of any drug, to the extent that is reasonable to expect an increased risk of irresponsible, illegal or unsafe behaviour;
- Individuals must not threaten, intimidate or act violently toward any other individual or group of individuals;
- Individuals must not carry weapons of any kind.

Respect

National Precast is committed to creating an environment in which individual rights, opportunities, differences, choices, approaches and opinions are respected, irrespective of race, colour, gender, origin, religion, age, sexual orientation, marital status or disability, employment seniority, or any other characteristic which is protected by law.

Individuals must conduct themselves with fairness, respect and courtesy, practising tolerance and sensitivity in all interactions, particularly in relation to personal beliefs, religions and cultural values.

Individuals must also respond positively to lawful and reasonable directions.

Basic rules of respect when participating in any Association or industry related activity:

- Individuals must not behave in a way which could reasonably be considered offensive, intimidating, malicious, harassing, abusive, discriminatory or insulting;
- Not harass, bully, unlawfully discriminate against or threaten others,
- Individuals must not sexually harass any other individual, by making unwanted sexual advances, requesting sexual contact or activity or behave in any other sexually offensive way;
- Individuals must not engage in any form of physical violence, menacing or stalking behaviour,
- Individuals must not engage in any form of harassment or threats with the intent or effect of creating a hostile or intimidating environment;
- Individuals must not unfairly interfere with an individual's activities or work performance in an unreasonable way;
- Individuals must not humiliate, denigrate, insult, falsify or misuse personal information, distribute or display offensive material, or injure any other individual in any way; and
- Individuals must respect others' privacy and confidentiality of personal information.

and do all that is reasonable to prevent any such behaviour.

Integrity

The Association expects that individuals will conduct themselves with integrity, in a legal, responsible, reliable and professional manner at all times and refrain from any activities or behaviours that are illegal or may harm the reputation or wellbeing of others, or could bring the Association into disrepute.

Individuals must exercise authority and discharge duties in good faith, for proper purpose, and with a reasonable degree of care and diligence.

Individuals must deal respectfully, courteously, fairly and equitably with others, with due regard for their moral and legal rights and obligations. Individuals must make decisions that are risk-informed, reasonable, timely, procedurally fair and appropriate to the circumstances, based on all the relevant facts and supported by adequate documentation.

Individuals must comply with all laws and regulations that prohibit bribery and corruption, and do everything reasonable to make ensure other stakeholders do the same.

Individuals must comply with the Competition and Consumer Act, in particular in relation to the 'fixing, controlling or maintaining' of prices.

Individuals must act with financial integrity at all times.

Basic rules of integrity when participating in any Association or industry related activity:

- Individuals must not exceed or misuse influence or authority, or abuse the trust placed in them in order to gain an advantage for themselves or others, or cause detriment to the Association or others;
- Individuals must not engage in bribery or corruption in any form, whether in the private or public sector. This means never offering, soliciting, promising, giving or accepting a bribe, kickback or any other improper payment – including 'facilitation' payments;
- Individuals must not engage in any conduct whatsoever whereby they work together to fix prices rather than compete against each other; and

- Individuals must not promote, encourage, ignore, condone, participate in or benefit from any fraudulent, corrupt or criminal acts perpetrated on the Association by others and must promptly report to the Association management any actual or reasonable suspicion of fraudulent, corrupt or criminal behaviour, maladministration, mismanagement of Association resources or that which involves a substantial risk to public or personal health and safety or the environment.

6. AWARENESS AND ACCOUNTABILITY

Parties to the Code will be made aware of the Code on commencement of their membership or any engagement with the Association in any way, or in any participation with any Association activities.

Parties to the Code are personally responsible for knowing, understanding and abiding by the Code and must read the Code where required on a yearly basis.

7. ACTIONS TO BE TAKEN IN EVENT OF INCIDENT OR SUSPECTED INCIDENT

An incident which is a suspected, alleged or known breach of the Code, or any of the legislation, regulations, codes, policies or procedures it reflects, may result in sanctions being applied either immediately or following an investigation of the incident.

Breaches during Association activities

If a breach occurs during the proceedings of an Association activity, the breach must be immediately reported to the President or other director or the Chief Executive Officer.

While every effort will be made to keep the process and the identity of the reporting party as confidential as possible, the notifying party must be prepared to be identified to the suspected, alleged or known perpetrator, if further investigation of the breach is required.

The individual to whom the breach has been reported must consult with two others, being a director or Chief Executive Officer. The individual responsible for the breach will be notified of the breach and will be escorted away from the activity.

Depending on the severity of the breach, further action may be taken to investigate the breach and the individual's ability to represent the member company or participation in any future Association activities may be ceased until the resolution of the investigation. If the breach is reasonably considered to be severe, the individual may be immediately removed as the representative of the member company.

Any other breach

Any breach that is suspected, alleged or known by any party must be notified within seven (7) days of becoming aware of the breach, to the President or other director or the Chief Executive Officer. The Board must be made aware of the breach within 48 hours of the notification.

While every effort will be made to keep the process and the identity of the reporting party as confidential as possible, the notifying party must be prepared to be identified to the suspected, alleged or known perpetrator.

On receipt of the notification of a breach, the Board in consultation with the Chief Executive Officer has a duty to investigate and act accordingly, ensuring a fair and transparent process is followed based on principles of natural justice. The Board may delegate any or part of this process to two or more Board members and the Chief Executive Officer.

The individual to whom the breach has been reported must consult with two others, being a director or Chief Executive Officer. The individual responsible for the breach will be notified.

If the breach involves a breach of criminal or civil law, the investigating party may refer the complaint to the appropriate authorities. Should any proceedings have commenced in any Court of law against the alleged perpetrator, the investigating party may suspend the individual's ability to represent the member company or participation in any future Association activities until the resolution of those criminal proceedings.

If the breach does not involve a breach of criminal or civil law, then, depending on the severity of the breach, further action may be taken to investigate the breach and the individual's ability to represent the member company or participation in any future Association activities may be ceased until the resolution of the investigation. If the breach is reasonably considered to be severe, the individual may be immediately removed as the representative of the member company.

8. ADVICE AND ASSISTANCE

The Code cannot address every situation that may be encountered. Therefore, where there is doubt as to the application of the Code, or the appropriate course of action to be adopted, parties to the Code should discuss the matter with the President or other director or the Chief Executive Officer.

9. ZERO TOLERANCE OF RETALIATION

Any form of retaliation toward an individual notifying a suspected, alleged or known breach will not be tolerated under any circumstances. Any form of retaliation should be notified immediately to the President or other director or the Chief Executive Officer. Depending on the severity of the retaliation, further action may be taken to investigate the retaliation and the individual's ability to represent the member company or participation in any future Association activities may be ceased until the resolution of the investigation.