

# CODE OF CONDUCT: MASTER PRECASTER

## 1. INTRODUCTION

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 the provision of services to assist members, representing the membership in the legal and regulatory environment, initiatives which educate construction industry stakeholders and promoting precast concrete as the first choice for sustainable construction.

This *Code of Conduct: Master Precaster* (The Code) has been developed by National Precast, to apply throughout Australia to ensure that Master Precasters uphold the high degree of integrity and responsibility, financial stability, technical skill, factory capability, quality, safety and environmental consideration that the Association strives to achieve to achieve and maintain, in support of its Mission. It has an important role in the stewardship endeavours of our members. It is recognised that certification to the Code gives assurance of the quality of our members' products.

## 2. APPLICATION

The Code applies to all Master Precaster members of National Precast, providing guidelines and minimum standards to their commercial dealings with National Precast, fellow members, clients and suppliers. It applies in conjunction with National Precast's other codes – the Code of Personal Conduct and Trade Practices Compliance.

It is the duty of every Master Precaster to comply with this Code and to take all reasonable steps to ensure that the member's contractors and employees do not breach this Code in their dealings with the member.

## 3. SCOPE OF COMPLIANCE

All Master Precaster members have voluntarily agreed to comply with this Code and renew that commitment each year when they renew their membership of NP, and accordingly have committed to:

- (a) Supply their products and services in a responsible manner, while remaining financially stable, with appropriate skill, factory capability, quality, safety, environmental consideration and integrity and responsibility, and in compliance with relevant standards and codes;
- (b) Ensure that their products and services are manufactured and supplied as specified, and that any claims made about the products or services are legitimate;
- (c) Ensure that products and services are supplied in accordance with appropriate industry practice for the type of work concerned, and in a way which enhances their own reputation, that of National Precast and its membership;
- (d) Insofar as practicable and where relevant, used their best endeavours to ensure compliance with the Code by contractors, employees and other stakeholders;
- (e) Mitigate any actions which might bring National Precast and the industry into disrepute; and
- (f) Supply their products and services also in accordance with other National Precast codes of conduct.

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, Master Precaster members must observe and obey, and stay informed about the laws of Australia and any jurisdiction in which their business is conducted.

## 4. MODES OF COMPLIANCE

The Code applies to all manner of commercial 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), in contracts and in written and published material.

## 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, contractors and consultants behave. The Association's members are its ambassadors and can enhance or diminish the Association's reputation by their conduct in commercial matters.

The basis of this Code has been founded on six conduct principles, namely, integrity and responsibility, financial stability, technical skill, factory capability, quality, safety and environmental consideration.

### **Integrity and responsibility**

Master Precaster members must act as ambassadors of National Precast, fulfilling their role as a leader of the precast industry, by acting in ways which promote and encourage an efficient, competitive and ethical precast industry. This role includes but is not limited to the following actions:

- a) Becoming conversant with, and complying with National Precast's Constitution and Codes of Practice;
- b) Becoming involved with National Precast's activities, including attending events, making submissions, participating in working groups, presenting at conferences etc;
- c) Promptly action any reasonable requests forthcoming from National Precast;
- d) If elected to office as a Director of National Precast, or on to any working group or committee, carry out the applicable duties with the diligence and commitment required for the benefit of National Precast and its membership;
- e) Encouraging all suitably qualified businesses to apply for National Precast membership;
- f) Following practices which display good Corporate Social Responsibility;
- g) Engaging in forward thinking human resources programmes to retain a highly skilled, motivated and committed workforce;
- h) Encouraging and participating in continued industry reform, and in particular, changing the adversarial nature of commercial dealings to one which is based on partnering;
- i) Engage in decision-making that is risk-informed, reasonable, timely, procedurally fair and appropriate to the circumstances, based on all the relevant facts and supported by adequate documentation;
- j) Exercise authority and discharge duties with integrity, in good faith, for proper purpose, with a reasonable degree of care and diligence, and with clarity, respect, fairness and equity, in a legal, responsible, reliable, respectful and professional manner; and
- k) 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.

### **Financial stability**

National Precast expects that Master Precasters will have:

- a) A track record of financial solvency, maintaining positive and well-managed financial relationships with all clients, suppliers and employees;
- b) A favourable credit rating and must maintain adequate financial resources for the proper discharge of all contractual obligations, including its Master Precaster membership of National Precast; and
- c) Current appropriate levels of insurances, including workers' compensation, public liability and professional indemnity (if appropriate).

### **Technical skill**

National Precast expects that:

- a) Persons employed with Master Precaster members possess the necessary technical qualifications, knowledge and practical experience to ensure that all commercial engagements are carried out competently, in a workmanlike and economical manner;
- b) The currency of any such technical qualifications held by those persons be maintained (such as fulfilling continuing professional development requirements);

- c) Any consultants or contractors engaged by Master Precaster members hold the required current qualifications or licences required to perform the assigned duties; and
- d) Master Precasters maintain a current working knowledge of relevant laws (such as workplace safety, Chain of Responsibility, environmental laws), standards and codes;

### **Factory capability**

National Precast expects that Master Precasters will:

- a) Have a purpose-built factory which contains the necessary equipment to produce products offered by the company, or, where the Master Precaster subcontracts work to another precaster, ensures the precaster meets this requirement ;
- b) Properly and regularly maintain, service and calibrate (if needed) all equipment and keep records for same;
- c) Register all equipment that requires registration (such as EWPs, concrete batching plants, gantries or other cranes) and keep records of same;
- d) Provide a safe workplace for workers and safely store and clearly label all materials including steel, chemicals, cast-ins etc; and
- e) Ensure the factory environment is kept in a tidy and organised manner with appropriate signage.

### **Quality management**

National Precast expects that Master Precaster members will ensure that elements of a competent quality management system are practised and maintained, where quality is built into every precast product during all stages of the manufacturing process.

Specifically, it is expected that Master Precasters will:

- a) Ensure any third party quality certification is current and for the relevant factory site and products, or, in the absence of any third party quality certification, have developed its own robust system inclusive of a minimum requirement to undertake an annual review of that system;
- b) Allocate responsibility for quality to an individual or individuals involved in the manufacturing process, who shall have appropriate experience or qualifications in quality management;
- c) Use clear manufacturing process instructions including flow charts, procedures, work instructions etc;
- d) Ensure hold points are engaged and signed off at specific points during the manufacturing process (including pre-pour, post-pour, pre-delivery etc) and, if relevant, also at key points of the erection process;
- e) Use appropriate documentation to ensure products are manufactured in accordance with shop drawings, including correct concrete strength, reinforcement tolerances, cover, openings, rebates and cast-ins;
- f) Ensure shop drawings are approved by a qualified engineer prior to commencement of casting activities;
- g) Appropriate records such as concrete delivery, concrete strength testing, reinforcement and componentry records, as well as performance testing records (if required) are checked and retained;
- h) Ensure products are manufactured to comply with relevant Australian Standards;
- i) Ensure products are thoroughly checked and signed off prior to delivery;
- j) Ensure a manufacturer's certificate of compliance is available for every precast product that is dispatched;
- k) Ensure remedial action is undertaken if required prior to delivery or after delivery if needed; and
- l) Engage in a 'customer resolution process' for any products that are rejected by clients;

### **Safety management**

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, to strive for an accident free work environment.

National Precast expects that Master Precaster members will ensure that elements of a competent safety management system are practised and maintained, where safety is assessed and addressed in every stage of the manufacturing process.

Specifically, it is expected that Master Precasters will:

- a) Ensure any third party safety certification is current and for the relevant factory site and products, or, in the absence of any third party safety certification, have developed its own robust safety management system inclusive of a minimum requirement to undertake an annual review of that system;
- b) Allocate responsibility for health and safety to an individual or individuals involved in the manufacturing process as required, who shall have appropriate experience or qualifications in safety management, and train all staff in safe manufacturing methods, whereby safety is a major part of every management and supervisory position ;
- c) Ensure products are manufactured to comply with relevant laws and State, territory and national codes of practice;
- d) Undertake hazard identification and risk analyses to identify and control all potential hazards;
- e) Hold and minute safety committee meetings, as well as regular toolbox meetings with workers (and special toolbox meetings if needed);
- f) Ensure all employees are trained and understand their responsibilities with regard to maintaining a safe workplace and Chain of Responsibility laws, whilst always carrying out work in the safest possible manner;
- g) Ensure health and safety is part of all planning stages and work activities;
- h) Use Safe Work Method Statements (which are regularly updated) for all tasks including existing tasks such as reinforcement assembly, grinding, loading etc and for all new tasks as they are introduced;
- i) Ensure signage for PPE requirements is adequate, provide appropriate PPE and ensure workers and visitors are inducted and are compliant with PPE requirements;
- j) Maintain appropriate numbers of clearly visible First Aid trained workers and adequate First Aid facilities;
- k) Control, report and investigate hazards, injuries and all near misses and enact preventative or corrective action as appropriate;
- l) Provide effective injury management and rehabilitation for all affected employees;
- m) Have emergency response plans in place, in case of the need for evacuation; and
- n) Monitor and measure safety performance, setting performance KPIs as appropriate.

### **Environmental management**

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.

It is expected that Master Precasters will:

- a) Ensure any third party environmental certification is current and for the relevant factory site and products;
- b) Ensure any environmental licences or permits required to operate the business are current and for the relevant factory site and products, or, in the absence of any third party environmental certification, have developed its own robust system inclusive of a minimum requirement to undertake an annual review of that system;
- c) Comply with any conditions on those environmental licences or permits;
- d) Develop and implement an environmental management plan;
- e) Allocate responsibility for environmental management to an individual or individuals involved in the manufacturing process as required, who shall have appropriate experience or qualifications in environmental management, and train all staff in environmentally friendly manufacturing methods, whereby these are a major part of every management and supervisory position ;
- f) Undertake and record environmental hazard identification and risk analyses to identify and control all potential hazards;
- g) Ensure environmental management is part of all planning stages and work activities;
- h) Ensure signage for environmental management requirements is adequate, provide workers with necessary equipment and training to address environmental incidents and ensure workers are inducted and are compliant with environmental management requirements;
- i) Control, report and investigate environmental hazards, near misses and any other environment-affective incidents and enact preventative or corrective action as appropriate;
- j) Undertake and record corrective and preventative environmental management actions as needed and review these records not less than annually to ensure that the controls are effectively managing the identified hazard(s);
- k) Develop and test environmental emergency response plans in place, in case of the need for evacuation; and

- l) Monitor and measure environmental management performance, setting performance KPIs as appropriate.

## **6. AWARENESS AND ACCOUNTABILITY**

Parties to the Code will be made aware of the Code on commencement of their membership and shall be required to acknowledge their ongoing commitment to it at each subsequent renewal of their membership.

Parties to the Code are 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 BREACH OR SUSPECTED BREACH**

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

Complaints of an alleged breach of this Code may be reported by any consumer, member or other person who believes another member has breached any obligations undertaken by them in relation to this Code or the Constitution of the Association. The complainant may ask the Association to deal with the breach under the terms of this Code.

If a breach of this Code is believed to have occurred, the breach must be reported within seven (7) days of the Complainant having first become aware of it, 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 member alleged to be responsible for the breach will be notified of the complaint made against them.

Depending on the severity of the breach, further action may be taken to investigate the breach and the member's status of Master Precaster member may be temporarily or permanently changed to Provisional Precaster member, or may be suspended until the resolution of the investigation. If the breach is reasonably considered to be severe, the member may be immediately removed as a member of National Precast.

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 perpetrating member, the investigating party may recommend to the Board that the member's status of Master Precaster member be temporarily or permanently changed to Provisional Precaster member, or suspended until the resolution of the investigation. If the breach is reasonably considered to be severe, the member may be immediately removed as a member of National Precast, until the resolution of those criminal proceedings.

If the Association is unable to resolve a complaint, it shall refer the complaint for legal advice. The legal consult shall consider the complaint in a fair and proper manner in accordance with detailed complaints procedures adopted by the Association under this Code and shall recommend appropriate action to the Board. If the legal consult finds that a member is in breach of this Code, it may recommend disciplinary action against the member, including cautioning, reprimanding, altering the member's Master Precaster status, suspending, obtaining undertakings in relation to future conduct or recommending that the Board terminates the membership of the Member.

The member has a right of appeal and should present their case in writing to the Board no later than 7 days after receiving the Board's decision.

## **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.

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