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1. What is this Policy About?

The Code of Conduct (**the Code**) provides a statement about the values of behaviour we expect, and expresses our undertaking to foster a culture where ethical conduct is valued and demonstrated in our day-to-day business.

The obligations set-out in this document operate in addition to any obligations contained within your contract of employment.

2. Who needs to Read this Policy?

The Code applies to everyone at WSA, including directors, leaders, employees and secondees, as well as contractors and consultants at WSA workplaces.

3. The Code of Conduct

WSA is committed to achieving the highest levels of integrity, safety, sustainability and performance. We work together as a united team, and believe that everyone deserves to be treated with respect and courtesy in the workplace.

As a result, we expect that all our employees, consultants and contractors will demonstrate key behaviours consistent with the following standards:

- Maintaining high standards of transparency, honesty and fairness
- Respecting difference, and embracing different ways of thinking
- Refusing to tolerate bullying, harassment or discrimination
- Working collaboratively and openly with each other
- Considering the environmental and social impacts when making a business decision, and ensuring we use resources responsibly

The Code provides practical guidance on how to meet these standards.

4. Our Values

Working at WSA requires our employees to understand our organisational values, and live them everyday. This six values are the basis of all that we do:

- **Safety**
- **Integrity**
- **Inclusion**
- **Pioneering**
- **Courage**
- **Passion**



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5. Behaving Professionally

At WSA, we adopt the highest standards of professional and ethical conduct, to create an inclusive and productive working environment. We believe strongly in treating everyone respectfully and courteously, and do not tolerate discriminatory behaviours. We are committed to excellence in order to deliver the best possible outcomes for our stakeholders and the community.

5.1 Equality in Employment

We offer our people opportunities for employment, professional development and promotion based on merit. As stated in our Equal Opportunity, Diversity and Inclusion Policy we do not tolerate any form of discrimination, including but not limited to discrimination on the basis of race, religion, gender, sexuality, disability, age or family responsibilities.

Leaders must ensure that recruitment-related decisions are based only on merit and business considerations.

We are all expected to treat others fairly and courteously, irrespective of the attributes of the person, and to act in ways that support the reputation of WSA.

5.2 Harassment (including sexual harassment) and bullying

As an equal opportunity employer, WSA does not tolerate any form of sexual harassment, harassment or bullying in the workplace, and aims to foster a culture that is supportive and inclusive.

Sexual harassment is any unwanted or unwelcome sexual behaviour, which makes a person feel offended, humiliated or intimidated.

Sexual harassment can include, but is not limited to:

- Unwelcome sexual advances, including staring or requests to go on dates;
- Unwelcome requests for sexual favours, including suggestive jokes;
- Unwelcome sexual behaviour, including gestures or comments sexual in nature.

Harassment can occur in many ways, but is generally a pattern of behaviour that is unwelcome and humiliates, intimidates or offends the recipient.

Bullying is repeated and unreasonable behaviour towards a person that creates a risk to health and safety, and can include as verbal, physical, social or psychological harm.



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Harassment or bullying can include, but is not limited to:

- Behaving aggressively;
- Teasing or practical jokes;
- Pressuring someone to behave inappropriately;
- Excluding someone from work-related event;
- Unreasonable work demands.

WSA is focused on staying true to its values. To do so will require it to undertake reasonable management action. Reasonable management action that is carried out in a reasonable way is not bullying. **Examples** of reasonable management action which are not bullying include, but are not limited to:

1. Setting workplace standards or goals, or providing directions
2. Performance management processes
3. Meetings, counselling or disciplinary action to address unsatisfactory behaviour or performance
4. Workplace investigations
5. Responding to organisational change

At WSA, it is important for all those covered by this Code of Conduct to behave at the highest standards of professional and ethical conduct.

Always	Never
<ul style="list-style-type: none"> • Treat others fairly and respectfully • Promote a workplace without harassment or bullying • Speak up if you have seen bullying or harassment, even if the behaviour was not directed at you 	<ul style="list-style-type: none"> • Tolerate discrimination of any kind • Act in a way that insults, intimidates or humiliates a person • Engage in sexual harassment



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5.4 Work Practices

To deliver Western Sydney Airport, as well as our aim to benefit the local and national community, we need to maintain the highest standards of professionalism and effective work practices. At a minimum, we perform our work to the expected standard and with due care and skill; but we aim to exceed this expected standard wherever we can.

Always	Never
<ul style="list-style-type: none"> • Attend work as agreed with your Leader • If you will be late or can't attend work, contact your supervising leader • Present yourself professionally • Follow reasonable and lawful directions from your leader and other WSA authorities 	<ul style="list-style-type: none"> • Commit an act which could bring WSA into disrepute, whether it be intentionally, recklessly or otherwise • Ignore an issue that has arisen in the workplace or in relation to the project, and fail to escalate where appropriate • Engage in any form of misconduct • Perform your duties in a negligent manner

5.5 Laws and Regulations

We are all responsible for ensuring that our actions comply with all relevant WSA policies and procedures, as well as any laws or regulations that apply to your work.

5.6 Delegation of Authority

When acting with delegated authority or acting in a 'higher duties' capacity, you must maintain the standards and values required of the role.

5.7 Criminal and Corrupt Conduct

Criminal and/or corrupt conduct of any kind will not be tolerated. WSA may report such conduct to the appropriate authority, and cooperate with any subsequent investigation. We are all encouraged to identify any possible criminal and/or corrupt conduct in line with WSA's Whistleblower Policy.



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6. Engaging with Third Parties

WSA engages with a wide range of stakeholders across industry, community and government. In particular, we are a part of the Western Sydney community, and are committed to building relationships with local businesses and social institutions.

We uphold the highest standards of transparency, impartiality and accountability in all our business dealings, while ensuring that we continue to build positive relationships and communicate openly with industry and the public.

6.1 External Communications

Due to the high-profile nature of WSA's work, it is important that you make no public comment, including on social media, regarding WSA without prior authorisation from Corporate Affairs.

You may have other obligations in regard to your communications about WSA under law, contract and policy. It is important that you understand and comply with these obligations at all times.

6.2 Confidentiality and Privacy

We take our obligations to protect confidential and personal information seriously, and ensure that our people clearly understand their responsibilities regarding confidential and private material. For more information, see the Confidentiality Policy.

When sending an external email or letter make sure that it is marked appropriately, depending on the content (e.g. as 'Commercial-in-Confidence', 'Personal' or 'Privileged'). If you are not sure of the appropriate marking, speak to your leader.

When communicating with a third party that has been engaged contractually by WSA, you should make sure the organisation has signed a confidentiality agreement before passing on any confidential or sensitive material. If you are passing on material to a contractor or consultant, ensure you only send information that is relevant to the work they are performing for WSA (i.e. on a 'need to know' basis). For more information, see the Confidentiality Policy.

An example of activity that is a breach of confidentiality and privacy is set-out below.

Example: Breach of confidentiality and privacy obligations

- (A) You are an engineer contracted to work on the Early Earthworks. Your organisation has signed a confidentiality agreement with WSA. You learn about a significant adjustment in the scheduling which is only known to a few people. You mention this to your cousin over drinks.

This is a breach of your obligations to WSA – the change in project dates is confidential information, and there was no reason for disclosing it to your cousin.



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An example of activity that is not a breach of confidentiality and privacy is set-out below.

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Example: No breach of confidentiality or privacy obligations

(B) You are employed in WSA's finance team, and work closely with an external accounting firm on budget matters. You are aware this firm has signed a confidentiality agreement. You email the accountant details of an upcoming procurement (not yet public) so that they can accurately forecast the budget for the next month.

This is not a breach of confidentiality – though the information about the procurement is confidential, you provided it on a 'need to know' basis, to an organisation that is bound by a confidentiality agreement.

7. Conflicts of Interest

Broadly, a **Conflict of Interest** exists where your financial, personal or other interests, or your position within WSA, affects your objectivity or independence in relation to business decisions. There are three different types of conflicts of interest:

- **Actual:** direct conflict between your official WSA duties and a competing interest or obligation, whether personal or involving a third-party.
- **Perceived:** where it could reasonably be perceived that a competing interest could improperly influence the performance of your official duties.
- **Potential:** where you have an interest or obligation, whether personal or involving a third-party, that could conflict with your official WSA duties in the future.

Conflicts of interests may also be categorised as pecuniary or non-pecuniary. A pecuniary conflict of interest is where you have a financial interest or the capacity to make a financial gain or loss. This includes anything that may impact your shareholdings, superannuation, financial interests, gifts and hospitality and property ownership (or such interests belonging to someone close to you, such as a friend, partner or family-member). A non-pecuniary conflict of interest does not have a financial component.

At WSA, we make business decisions impartially, and with the aim of advancing the Western Sydney Airport project and benefitting WSA's shareholders, industry and the local community. We strive to ensure that our decisions are not subject to any conflict of interest. Therefore, we must all take steps to avoid situations that compromise the quality of their work or their ability to make impartial business decisions.



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Examples of conduct that constitutes a breach of your duty to avoid conflicts of interest

- Benefitting, or knowing that you or a friend or relative may benefit from an activity that WSA is involved in (or where a reasonable person thinks that you may be personally influenced by something WSA is involved in, this is a perceived conflict).
- Maintaining a personal relationship with a WSA business contact that may actually or potentially affect (or may be perceived as affecting) your impartiality.
- Having personal beliefs that influence your impartiality.
- Using business information that you have acquired through your work with WSA for personal gain.
- Having a second job that compromises your integrity or impacts on your ability to perform your employment with WSA impartially.

Whether your obligations are derived from common law, contract or this policy, breaching your obligations may result in disciplinary action be taken.

Always	Never
<ul style="list-style-type: none"> • Tell your leader as soon as possible about an actual or potential conflict of interest • Avoid dealings or relationships that cause or might cause a conflict • Take steps to withdraw from the situation leading to the conflict • Use good judgement when deciding whether to accept a gift or hospitality from a company doing business from WSA (or to offer the same) 	<ul style="list-style-type: none"> • Hold a position or invest in organisations that do business with WSA (if you are in a position to influence these dealings) • Participate in a decision-making process that could lead to personal gain for you, or for a close friend or relative • Accept a gift or benefit that may create an actual or perceived conflict of interest.



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7.1 Gifts and Other Benefits

You may be offered a gift or other benefit by third parties that have, or hope to have, a relationship with WSA. WSA policy prohibits you from accepting gifts or benefits, with the exception of gifts or benefits considered to be of a minor or token nature. For a gift or benefit to be considered minor or token in nature, the gift or benefit must be of a value less than \$100, either as a single instance or cumulative. For further information about gifts, please refer to our Gifts and Benefits Policy.

It is important to comply with the rules about gifts because where you accept gifts and benefits, it may at the very least create the perception that your ability to act with integrity, impartially and with transparency is impaired.

8. Sustainability

WSA takes its commitment to sustainability seriously. Wherever possible, we will create and implement measures to protect the natural environment and promote responsible use of resources. You should take steps to understand the environmental impacts of your work for WSA and consider ways to minimise the environmental impacts that are associated with your work.

Always	Never
<ul style="list-style-type: none"> Responsibly use resources and manage waste, including by recycling and re-using materials Promote responsible environmental practices by our suppliers and other third parties 	<ul style="list-style-type: none"> Ignore an environmental incident or risk, or wait for another person to raise it



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9. Health, Safety and Productivity

WSA is committed to providing a safe, healthy and productive workplace. Employees, contractors and consultants are all required to perform their work safely and comply with relevant operating procedures and workplace rules.

Always	Never
<ul style="list-style-type: none"> • Ensure that your own work and safety are not affected by alcohol or drugs, especially when operating machinery. • Use protective equipment where provided. • Report all health and safety incidents. 	<ul style="list-style-type: none"> • Ignore or fail to act in response to a work health and safety issue.

If you have concerns about the health, safety or wellbeing of someone at WSA, you should contact your leader immediately.

You are encouraged to refer to the Health and Wellbeing Policy and the Work Health and Safety Policy for further information.

10. Using Company Resources

WSA is committed to providing employees with the technology and tools required to complete all duties effectively and safely.

We are all accountable for ensuring that WSA property (including non-physical assets) is appropriately protected. As a Government Business Enterprise, the company's assets are ultimately owned by the public, so it is even more important that they are used wisely.

WSA materials which are sensitive should be treated as an asset, and kept confidential unless disclosure has been authorised.

If you cease work with WSA, you should return any company property or assets you have been given (see Leaving WSA Policy).



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Always	Never
<ul style="list-style-type: none"> • Keep WSA assets secure, use them for their intended purpose, and comply with all relevant policies regarding their use • Ensure third parties follow relevant WSA policies when dealing with company assets • Raise any concerns you might have regarding waste or misuse of WSA assets 	<ul style="list-style-type: none"> • Use our assets for personal gain or to benefit a third party • Publish WSA data, or images of company property online (including on social media) without approval • Use a company card for personal transactions

10.1 Use of Technology

We understand that a reasonable amount of personal use of WSA technology is sometimes needed, however in general, you are expected to only use company assets for WSA business.

Inappropriate material can include: any illegal material, pornography or sexually explicit material, material that promotes hatred, intolerance, violence or terrorism.

You must not use WSA technology to access inappropriate material.

When using company technology, you should follow the relevant security protocols, and take steps necessary to prevent unauthorised access to sensitive data.

10.2 Intellectual Property

It is crucial that we all safeguard WSA's intellectual property. It is your responsibility to comply with company policies relating to intellectual property, and also to ensure that you have the appropriate consent before using intellectual property that belongs to a third party.

If you have any doubts about dealing with intellectual property, talk to your leader or the legal team.



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11. Our Shared Responsibilities Under the Code

We are all responsible for ensuring we comply with the Code of Conduct, and integrate the values, principles and key behaviours into all aspects of our work. If you feel there may have been a breach of the Code of Conduct, speak to your leader or People and Culture as soon as possible.

Leaders are responsible for ensuring that the Code is applied in the workplace. Leaders are also responsible for fostering a positive and productive workplace culture by helping their team understand the Code of Conduct and what it means to them.

People and Culture (P&C) is responsible for ensuring everyone is aware of their obligations, responsibilities and rights in relation to the Code of Conduct. Where there is an instance of non-compliance or potential non-compliance, P&C will address these matters as professionally as possible, and seek a prompt and sensitive resolution.

12. Disciplinary Action for Non-Compliance

Failure to comply with the Code of Conduct may lead to disciplinary action, up to and including dismissal.

Before any disciplinary action is finalised, WSA will undertake the appropriate process to determine the factual circumstances of the potential breach.

12.1 Summary Dismissal

Without limiting the circumstances in which termination of employment may occur (or the process by which it may be actioned), please be aware that in instances of serious misconduct or other conduct that justifies summary dismissal, WSA may terminate your employment summarily. This means that WSA may dismiss you without notice of termination.

Summary dismissal may follow a single act of serious misconduct, or may occur where there is a history of serious misconduct. The *Fair Work Regulations 2009 (Cth)* defines the meaning of “serious misconduct” for the purposes of the Fair Work Act as:

- wilful or deliberate behaviour by an employee that is inconsistent with the continuation of the contract of employment;
- conduct that causes serious and imminent risk to the health or safety of a person, or the reputation, viability or profitability of the employer’s business;
- the employee, in the course of employment, commits theft, fraud, assault;
- the employee being intoxicated at work; or
- the employee refusing to carry out a lawful and reasonable instruction that is consistent with the employee’s contract of employment.



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13. Further Information

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If you require assistance in understanding this Policy, you should first consult the functional executive. Should further information be required, please contact P&C.

Document control

Policy Owner	Chief People & Culture Officer
Document status	Approved
Issue date	12 June 2018
Next review date	12 June 2019
Amendment history	11.10.18 (7.1) Change \$50 to \$100.
Related policies & procedures	Equal Opportunity, Diversity and Inclusion Policy Leaving WSA Guideline Health and Wellbeing Policy Work Health and Safety Policy Confidentiality Policy Complaints and Grievances Policy Performance and Development Policy Whistleblower Policy Gifts and Benefits Policy