



# Code of Conduct

Version 2.1

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## 1. Purpose

The purpose of this policy is to set clear expectations for the behaviour and decision-making of the Mining and Automotive Skills Alliance (AUSMASA) and their board members, advisory committees or panels, sub-committee members, employees, contractors, subcontractors, and any other party engaged with AUSMASA.

It is expected that persons will always comply with the spirit, as well as the letter, of this Code of Conduct as well as the Jobs and Skills Council (JSC) [Code of Conduct](#). The behaviours outlined in the Code of Conduct are fundamental to AUSMASA building healthy, positive, and respectful relationships with each other and our stakeholders. These required standards for acceptable conduct support AUSMASA's ability to build and maintain stakeholder trust and confidence in the integrity and professionalism of the services we provide. It provides a pathway for AUSMASA to align business activities with the obligations of all JSCs set out by the Commonwealth.

The practices set out in the Code of Conduct aim to minimise breaches of the ethical standards set out in this Code of Conduct. The Code of Conduct is not intended to provide a detailed and exhaustive list of what to do in every aspect of work. Instead, it represents a broad framework designed to guide ethical conduct and a standard of behaviour for AUSMASA, regardless of where duties are performed.

## 2. Overview

This Code of Conduct identifies fundamental ethical obligations and expected standards of behaviour for all AUSMASA board members, advisory committee or panels, sub-committee members, employees, contractors, subcontractors, and any other party engaged with AUSMASA. It outlines minimum standards and practices to protect AUSMASA resources and information and ensures that persons are aware of other policies and procedures of AUSMASA. It also sets out expectations for persons after they leave AUSMASA and lays down possible consequences of not complying with this Code of Conduct.

## 3. Audience

This Code of Conduct applies to AUSMASA's:

- Board
- Advisory Committees or Panels
- Committees and sub-committees
- Employees
- Contractors and sub-contractors
- any other party engaged with AUSMASA

## 4. Standards of Conduct

### 4.1. Ethical Obligations and Duties

The Code of Conduct governs how we relate to one another and all stakeholders and in the performance of duties for AUSMASA. Under this Code of Conduct, persons have an ethical obligation and duty to:

- be aware of and comply with this Code of Conduct, the JSC Code of Conduct, and with AUSMASA obligations under the [Grant Agreement](#)
- act ethically and responsibly, in a way that promotes the mission and vision of AUSMASA while acting in good faith, and in the best interests of AUSMASA
- conduct all business activities in accordance with all [Laws](#) which may apply to the activities of your role at AUSMASA
- uphold the highest standards of honesty, integrity, respect, probity, diligence, fairness, ethics, openness, and transparency in all conduct of duties
- embed and integrate a culture of integrity at AUSMASA, system-wide
- act with transparency and openness, which should be the default position for all actions, including around decisions, appointments, stakeholder engagement, reporting, and communications
- plan for mitigating and managing potential risks in accordance with the AUSMASA [Risk Management Policy and Procedure](#)
- make decisions ethically, fairly, and without bias, as in accordance with the AUSMASA [Conflict of Interest Policy](#)
- strive to be fair and just in all dealings while using the best factual information available
- prevent acting on or making decisions that are influenced by personal or private interests
- treat others with respect, dignity, fairness, and courtesy to maintain an inclusive, professional, respectful, and ethical work environment
- act with the care and diligence that a reasonable person would exercise in their position
- act in a manner that does not undermine industry trust and confidence in AUSMASA as a steward and representative for the mining and automotive sector
- be proactive in maintaining a health and safety focus in the workplace, including compliance with all applicable work health and safety legislative and regulatory requirements
- uphold AUSMASA's commitment to providing a safe, inclusive, and respectful working environment by adhering to the AUSMASA [Equal Opportunity and Diversity Policy](#)
- upholding the [Respect@Work principles and values](#) to create a work culture that prevents and addresses sexual harassment behaviours
- never act in a discriminatory, harassing, or violent way towards others
- never use your position to gain an advantage over or exploit the vulnerability of others
- keep all records, documents, and communications accurate, truthful, and up to date
- avoid putting themselves or AUSMASA in an actual or perceived conflict of interest as much as is reasonably practicable by following the [Conflict of Interest Policy](#)
- use best practice stakeholder engagement, governance, and reporting
- ensure that engagement across the system is comprehensive, honest, and balanced in its reflection of stakeholder's views
- ensure that engagement with stakeholders adjusts for different jurisdictional perspectives
- maintain a focus on learner outcomes by accounting for the interests of both learners and the industry when making decisions
- aim for representation of a wide range of industry and stakeholder interests
- ensure that no single stakeholder group is allowed to exercise disproportionate or inappropriate influence over AUSMASA
- undertake adequate and reasonable consultation with stakeholders within their relevant industry or sector

- provide all interested stakeholders with a fair opportunity to contribute to the activities of AUSMASA and ensure that potential members are not unreasonably excluded
- treat both formal members and other industry stakeholders fairly and equitably
- provide clear responses to feedback, and use transparency in how decisions are made to relevant stakeholders
- never inappropriately use social media or technology (including personal social media accounts) in a manner that could be detrimental to AUSMASA's reputation or in a way that could, in AUSMASA's reasonable opinion, offend, intimidate, or humiliate AUSMASA board members, advisory committee or panels, sub-committee members, employees, contractors, subcontractors, and any other party engaged with AUSMASA.

It is the responsibility of all AUSMASA board members, advisory committee or panels, committee and sub-committee members, employees, contractors, subcontractors, and any other party engaged with AUSMASA to report behaviour that may be contrary to the Code of Conduct. To avoid non-compliance, persons have a responsibility to:

- prevent fraud, Corrupt Practice, and improper conduct, which may require mitigating action, as considered by the AUSMASA executive and board
- never participate in, or assist others to participate in, any illegal and/or criminal activities in line with all Laws and contractual agreements
- never knowingly allow AUSMASA to engage in professional associations with Prohibited Individuals or Organisations
- adhere to the AUSMASA Anti-Bribery and Anti-Corruption Policy
- act responsibly in the event of becoming aware of any unethical behaviour or behaviour that may be contrary to the Code of Conduct by any other member of the AUSMASA team and report such conduct or activities to a direct reporting line or appropriate AUSMASA persons.
- investigate and report any fraud in relation to AUSMASA as required by the Grant Agreement.

#### 4.2. Protection of Resources

It is the responsibility of all AUSMASA board members, advisory committee or panels, committee and sub-committee members, employees, contractors, subcontractors, and any other party engaged with AUSMASA to ensure they protect AUSMASA resources by adhering to the following:

- Use AUSMASA equipment, funds, facilities, and other resources effectively, economically, carefully, and for the benefit of AUSMASA.
- Be aware of and comply with the AUSMASA Procurement and Resource Management Policy and Procedure to ensure consistent practices when purchasing products and services, including leases and outsourced suppliers.
- Be aware of and comply with conditions for the use of Funding. This includes only using Funding as appropriate, with proper authorisation, and keeping accurate, detailed financial records.
- Be aware of and comply with the Delegations of Authority Policy and Procedure to ensure that persons are provided with the appropriate level of authority necessary to discharge their responsibilities and to ensure proper financial management.
- Use information technology, including internet, email, and all software programs operated by AUSMASA, professionally and appropriately.

- Never destroy or take for personal use any items belonging to AUSMASA without prior written approval.

#### 4.3. Protection of Information

It is the responsibility of all AUSMASA board members, advisory committee or panels, sub-committee members, employees, contractors, subcontractors, and any other party engaged with AUSMASA to ensure they always protect Confidential Information by:

- ensuring that public comments (either verbal or written) made in a private capacity are not attributed as an official comment of AUSMASA
- using official stationery, email addresses, or any other electronic identifiers only as permitted, and not for private correspondence or purposes not related to official AUSMASA duties
- collecting, using, and disclosing Confidential Information only in accordance with this Code of Conduct, AUSMASA's Privacy Policy, and all applicable privacy laws including the *Privacy Act 1988* (Cth)
- only accessing Confidential Information when it is required for work purposes
- never using Confidential Information for any unofficial or non-work purposes
- being careful in dealings with those outside of AUSMASA, including external stakeholders and former employees, by ensuring you do not give them access to Confidential Information
- complying with the minimum security standards, good industry practice, policies, and requirements for Information and Communications Technology as set by the Commonwealth and as outlined in AUSMASA's Information Management Plan (including Cybersecurity)
- ensuring there is familiarity with Intellectual Property (IP) responsibilities in AUSMASA employment contracts and the JSC IP Framework
- avoiding infringement of IP rights, minimising potential liability, and enabling persons to understand restrictions on commercialisation, licensing, and other IP matters which may arise while executing the business activities of AUSMASA.

#### 4.4. Other Policies

In addition to adherence to the AUSMASA Code of Conduct, there is a duty for all AUSMASA board members, advisory committee or panels, committee and sub-committee members, employees, contractors, subcontractors, and any other party engaged with AUSMASA to be aware of and act in accordance with all other policies which are set by AUSMASA. It is each person's responsibility to inform themselves and comply with all AUSMASA policies and procedures relevant to each position. Other policies should be openly available and reviewed regularly to ensure that responsibilities are understood.

#### 4.5. Responsibilities after leaving AUSMASA

The following outlines the minimum responsibility and duties for any AUSMASA board members, advisory committee or panels, committee and sub-committee members, employees, contractors, subcontractors, and any other party engaged with AUSMASA, after they leave AUSMASA. Persons must:

- ensure they do not disclose any information after leaving AUSMASA that was non-disclosable during engagement with AUSMASA

- ensure that public comments (either verbal or written) made in a private capacity are not attributed as an official comment by AUSMASA
- not use official stationery, email addresses, or any other electronic identifiers of AUSMASA for any purpose after they are no longer engaged with AUSMASA.

## 5. Failure to comply with the Code of Conduct

Behaviour accountability is a responsibility for all AUSMASA board members, advisory committee or panels, committee and sub-committee members, employees, contractors, subcontractors, and any other party engaged with AUSMASA. Failure to comply with this Code of Conduct may lead to disciplinary action, including termination of employment or contract. Be aware that compliance with this Code of Conduct as well as the [JSC Code of Conduct](#) is a binding obligation under the [Grant Agreement](#) and the Department of Education and Workplace Relations (DEWR) may take action in respect of any non-compliance.

AUSMASA will use the principles of this Code of Conduct as guidance for the process of conflict resolution if a person is suspected of breaching this Code of Conduct. Where it has been established that a breach of the Code of Conduct has occurred, using the principles of this Code of Conduct, AUSMASA will consider if the breach requires mitigating action. Action will be considered on a case-by-case basis, by the AUSMASA executive and board. This may include seeking to terminate the relationship with AUSMASA, or taking legal action if the breach involves criminal behaviour or illegal activity. All AUSMASA contractors, subcontractors, suppliers, and other external parties engaged with AUSMASA may face sanctions for failure to comply with the Code of Conduct.

## 6. Definitions

**Confidential Information** means information that is obtained or developed in the course of the conduct of AUSMASA's business which are secret and valuable. Common examples of Confidential Information are:

- Unpublished financial information
- Data of customers/partners/vendors
- Patents, formulas, or new technologies
- Customer lists (existing and prospective)

**Corrupt Practice(s)** means making or causing to be made, any offer, gift, payment, consideration or benefit of any kind to any party, or receiving or seeking to receive, any offer, gift, payment, consideration or benefit of any kind from any party, as an inducement or reward in relation to the business conduct of AUSMASA, which would or could be construed as an illegal or corrupt practice.

**Funding** means any source of income received by AUSMASA.

**Grant Agreement** means the "*Stage 2 Grant Agreement in relation to the Jobs and Skills Councils – Strengthening Australia's National Vocational Education and Training System Program Agreement*" ([The Grant Agreement](#)) which is to be made freely available to all AUSMASA-related parties.

**Law(s)** means any applicable statute, regulation, by-law, ordinance, or subordinate legislation in force from time to time in Australia, whether made by a State, Territory, the Commonwealth, or a local government and includes the common law and rules of equity as applicable from time to time.

**Prohibited Individuals or Organisations** means individuals or entities listed as involved in engaging, preparing, planning, assisting, or doing a terrorist act, those who are a Listed Terrorist Organisation, those who are on the Consolidated List, those who are on the World Bank Listing of Ineligible Firms and Individuals, any individuals or entities engaging in Modern Slavery, or any organisation owned or controlled by an individual or entity included in the mentioned lists. It also includes individuals or entities providing direct or indirect support, resources, or assets to those associated with terrorism or entities in the mentioned lists.

## 7. Document History and Contact Details

### Version

<b>Number</b>	2
<b>Version</b>	1
<b>Implementation date</b>	21 June 2023
<b>Review date(s)</b>	29 May 2023
<b>Next Review date</b>	30 June 2024

### Revision History

<b>Revision date</b>	<b>Summary of amendments</b>	<b>Prepared by</b>	<b>Version</b>
25 Oct 2021	Policy Development	Board	1.1
25 Jul 2022	Updated mission and values; drafting corrections	CEO	1.2
20 Apr 2023	Audience updated to include Company Members	Acting CEO	1.3
17 August 2023	Executed Grant Agreement	Compliance Officer	2.1

### Contact details

<b>Owner</b>	AUSMASA Board
<b>Contact officer</b>	Company Secretary, <a href="mailto:Admin@ausmasa.org.au">Admin@ausmasa.org.au</a>