

WSI Policy Code of Conduct

14 November 2024

Document Status: For Use

Document Type: Policy

Document No: WSA00-WSA-00000-HR-POL-000001

Revision No: 05



Change history

Version Details	Document Owner:	Verified by:	Approved by:
Revision: 00 12/06/2018	Jo Vaughan Chief People & Culture Officer	Melanie Burnicle Company Secretary & Corporate Counsel	WSA Board
	Main Changes: Original Issue		
Revision: 01 13/05/2019	Jo Vaughan Chief People & Culture Officer	Melanie Burnicle Company Secretary & Corporate Counsel	WSA Board
	Main Changes: Annual review		
Revision: 02 12/06/2018	Jo Vaughan Chief People & Culture Officer	Melanie Burnicle Company Secretary & Corporate Counsel	WSA Board
	Main Changes: Typographical error		
Revision: 03 16/05/2022	Kirby Grattan Chief People Officer	Melanie Burnicle Company Secretary & Corporate Counsel	WSA Board
	<p>Main Changes:</p> <p>The Code of Conduct has been reviewed as part of WSA’s regular policy review cycle to ensure that it continues to be fit for purpose. Several enhancements have been made to the Code of Conduct including:</p> <ul style="list-style-type: none"> • An increased focus on WSA values; • A new summary section to highlight the key responsibilities of people at WSA; • Changes to align the Code of Conduct to the updated Conflict of Interest Policy; • The inclusion of a section on secondary employment; and • Next review date, May 2025. 		
Revision: 04 12/05/2023	Kirby Grattan Chief People Officer	Steven van der Donk Chief Legal Officer	WSA Board
	<p>Main Changes:</p> <p>Update to reflect amendments to <i>Fair Work Act 2009</i> (Cth) and <i>Sex Discrimination Act 1984</i> (Cth) by the <i>Sex Discrimination and Fair Work (Respect at Work) Amendment Act 2021</i> (Cth), <i>Anti Discrimination and Human Rights Legislation Amendment (Respect at Work) Act 2022</i> (Cth) and <i>Work Health and Safety Amendment (Managing Psychosocial Risk and Other Measures) Regulations 2022</i> (Cth).</p>		
Revision: 05 14/11/2024	Kirby Grattan Chief People Officer	Steven van der Donk Chief Legal Officer	WSA Board
	Main Changes: Update to reflect WSA’s new values.		

Related Documents

This policy should be read in conjunction with the related documents listed in the table below.

Document Number:	Document Description:
WSA00-WSA-00000-HR-POL-000004	Complaints and Grievances Policy
WSA00-WSA-00000-HR-POL-000002	Confidentiality Policy
WSA00-WSA-00000-HR-POL-000003	Conflict of Interest Policy
WSA00-WSA-00000-HR-POL-000009	Diversity, and Inclusion Policy
WSA00-WSA-00000-HR-POL-000011	Equal Opportunity Policy
WSA00-WSA-00000-CP-POL-000002	Gifts and Hospitality Policy
WSA00-WSA-00000-CP-POL-000006	Development & Review Process Policy
WSA00-WSA-00000-CP-POL-000005	Whistleblower Policy
WSA00-WSA-00000-OS-POL-000021	Work Health and Safety Policy

© WSA Co Limited | ABN 81 618 989 272

Copyright (and other intellectual property rights, if any) in this document is owned by WSA Co Limited (**Western Sydney Airport**). Other than as permitted under the *Copyright Act 1968* (Cth), this document (in part or as a whole) cannot be reproduced, republished, communicated or adapted without the prior written consent of Western Sydney Airport.

All rights are reserved, including in relation to logos or trademarks.

For enquiries regarding the licence and any use of this publication/document, please contact: **Kirby Grattan | Chief People Officer**], WSA Co Limited, PO Box 397 Liverpool NSW 1871 | kgrattan@wsaco.com.au

Table of Contents

- 1. What is this Policy about? 4
- 2. Introduction..... 4
 - 2.1. To whom does this Policy apply?..... 4
 - 2.2. Policy review..... 4
 - 2.3. Policy availability 4
- 3. The Code of Conduct 4
- 4. Our Values 4
- 5. Mandatory Conduct 5
- 6. Behaving Professionally 5
 - 6.1. Equality in Employment..... 6
 - 6.2. Harassment (including sexual harassment) and bullying 6
 - 6.3. Work Practices 7
 - 6.4. Laws and Regulations 8
 - 6.5. Delegation of Authority 8
 - 6.6. Criminal or Corrupt Conduct 8
- 7. Engaging with Third Parties 8
 - 7.1. External Communications 8
 - 7.2. Confidentiality and Privacy 8
- 8. Conflicts of Interest 9
 - 8.1. Gifts and Other Benefits 11
 - 8.2. Sustainability..... 11
- 9. Health, Safety and Productivity 11
- 10. Using Company Resources..... 12
 - 10.1. Use of Technology..... 12
 - 10.2. Secondary employment 12
 - 10.3. Intellectual Property..... 13
 - 10.4. Disciplinary Action for Non-Compliance..... 13
 - 10.5. Summary Dismissal 13
- 11. Further Information 14

1. What is this Policy about?

The Code of Conduct (the Code) provides a statement about the values and behaviour expected at WSA Co Limited (WSA) and expresses an undertaking to foster a culture where ethical conduct is valued and demonstrated in WSA's day-to-day business.

The obligations set out in this Code operate in addition to any obligations contained within all contracts of employment and at law. Compliance with this Code forms part of each employee's contract of employment at all times.

2. Introduction

2.1. To whom does this Policy apply?

The Code applies to everyone at WSA, including directors, employees and secondees, as well as contractors and consultants (WSA People or WSA Person, as applicable) at WSA workplaces, including remote working locations.

2.2. Policy review

This policy will be reviewed every three years.

2.3. Policy availability

This policy is available to be accessed on the **WSA Published Documents SharePoint** site. Currency and accuracy cannot be guaranteed if sourced from other locations.

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 WSA People will demonstrate key behaviours consistent with the following standards:

- Maintaining high standards of professionalism, independence, 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; and
- 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 all WSA People to understand our organisational values and live them every day. Those values are Safety is our priority, We do it with heart, We strive to be different and better and We achieve together.

The Code employs a principles-based approach to ethics, rather than a prescriptive one, since it is not possible to address every issue we may face as WSA People in one code. For

this reason, it is important that we look to the core values and principles when implementing the Code and generate discussions within WSA to promote ethical decision making.

5. Mandatory Conduct

All Employees have responsibilities to:

- demonstrate high levels of personal conduct consistent with the Code
- seek assistance when unsure about how to implement the Code
- promote the implementation of the Code to their colleagues
- report possible breaches of the Code to relevant officers.

All Leaders have the above employee responsibilities plus additional responsibilities to:

- lead and promote implementation of the Code in their workplace;
- ensure their workplace culture, practices, and systems (including recruitment and promotion) operate consistently with the Code;
- recognise and promote employee and team conduct that exemplifies the Code;
- act promptly and with due process to prevent and address any breaches of the Code;
- in the case of a senior executive (including an acting senior executive), declare in writing private interests that have the potential to influence, or could be perceived to influence, decisions made or advice given by the senior executive; and
- ensure that any real or perceived conflicts of interests are avoided or effectively managed.

The Chief Executive Officer has the responsibilities of Leaders (above) and, in addition, has responsibilities to:

- lead and promote implementation of the Code at WSA;
- ensure the general conduct and management of the functions and activities of WSA are in accordance with the core values of the Code; and
- oversee the implementation of the Code and make improvements where necessary.

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.

6. 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.

6.1. Equality in Employment

We offer our people opportunities for employment, professional development and promotion based on merit. As stated in our Diversity and Inclusion Policy we do not tolerate any form of unlawful 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.

6.2. Harassment (including sexual harassment) and bullying

As an equal opportunity employer, WSA does not tolerate any form of sexual harassment, harassment on the ground of sex, unlawful harassment, bullying (including online) or victimisation in the workplace, or conduct that would subject a person to a workplace environment that is hostile on the ground of sex. WSA 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; and
- unwelcome conduct of a sexual nature, including gestures or comments sexual in nature.

Harassment can occur in many ways but is generally a pattern of behaviour that is unwelcome of a demeaning nature in circumstances in which a reasonable person would have anticipated that the recipient would be humiliated, intimidated, or offended.

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

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 events; and
- imposing 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:

- setting workplace standards or goals, or providing directions;
- undertaking performance management processes;
- holding meetings, counselling or taking disciplinary action to address unsatisfactory behaviour or performance;
- undertaking workplace investigations;
- responding to organisational change; and
- restructuring the organisation, reporting lines, responsibilities or authorities.

At WSA, it is important for all WSA People to behave at the highest standards of professional and ethical conduct.

Conduct Obligations	
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 unlawful discrimination of any kind • Act in a way that insults, intimidates, or humiliates a person • Engage in sexual harassment

6.3. 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.

Conduct Obligations	
Always	Never
<ul style="list-style-type: none"> • Attend work as agreed with your Leader; • If you will be late or cannot attend work, contact your Leader; • Present yourself professionally; and • 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.

6.4. Laws and Regulations

We are all responsible for ensuring that our actions comply with all relevant WSA policies and procedures.

WSA People, when acting in connection with WSA employment and official duties and obligations, must also comply with all applicable Australian laws that apply to WSA work.

For this purpose, **Australian law** means:

- any Act, or any instrument made under an Act
- any law of a State or Territory, including any instrument made under such a law; or
- the common laws of relevant jurisdictions

6.5. 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.

6.6. Criminal or 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. All WSA People are encouraged to identify any possible criminal and/or corrupt conduct in line with WSA's Whistleblower Policy.

7. 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.

7.1. External Communications

Due to the high-profile nature of WSA's work, it is important that WSA People do not make any public comment, including on social media, regarding WSA without prior authorisation from Corporate Affairs.

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

7.2. 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 'UNOFFICIAL', 'OFFICIAL', 'OFFICIAL: Sensitive', '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, 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

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.

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

Example: No breach of confidentiality or privacy obligations

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.

8. Conflicts of Interest

Sometimes you may find that your private interests make it difficult for you to perform your duties impartially. This may happen when there is a direct conflict between your current duties and responsibilities and your private interests; and when a person could reasonably perceive that your private interests are likely to improperly influence the performance of your official duties.

The conflict of interest test involves four key elements:

- Does the WSA Person have a personal interest?
- Does the WSA Person have an official duty?
- Is there a connection between the personal interest and the official duty?
- Could a reasonable person perceive that the personal interest might be favoured?

Actions you should take include:

- Always disclose interests and associations which could give rise to a conflict of interest to your Leader as soon as possible.
- Where a conflict of interests occurs, it should always be resolved in favour of your official duties, rather than your private interest.

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.

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 colleague and/or 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.

Conduct Obligations	
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

All WSA People are required to refer to the Conflict of Interest Policy for further information regarding the identification and management of conflicts of interest.

8.1. 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 discourages 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 cumulatively. 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.

8.2. 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.

Conduct Obligations	
Always	Never
<ul style="list-style-type: none"> Responsibly use resources and manage waste, including by recycling and re-using materials Avoid dealings or relationships that cause or might cause a conflict 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.

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.

Conduct Obligations	
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 an environmental incident or risk or wait for another person to raise it.

If you have concerns about the health, safety or wellbeing of someone at WSA, you should contact your Leader and Work, Health & Safety 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 Guideline).

Conduct Obligations	
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 WSA 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 credit 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. Secondary employment

The duties of an employee’s WSA job must always come first. An employee may engage in other paid employment outside their official duties provided certain conditions are met and

that they have prior approval to do so. The work should not arise from or interfere with the employee's work at WSA and should be done outside working hours.

The employee must carefully consider whether the organisation offering them secondary employment may adversely affect the performance of their public duties and responsibilities or give rise to a conflict of interest.

Employees seeking to engage in private employment, or to significantly vary an existing approval, should submit a Secondary Employment Application to their Leader for approval by the relevant delegate. Approvals are to be placed on the employee's personal file.

While contractors, casuals and part time employees are not required to obtain approval for employment performed outside their contracted work hours, they must however ensure that no potential conflict of interest or adverse effect on their WSA role exists. These factors should also apply to employees considering unpaid (voluntary) employment.

10.3. 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.

10.4. 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. WSA's Disciplinary Policy contains further information.

10.5. 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, or sexual harassment
- 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.

Please refer to WSA's Disciplinary Policy for further information.

11. Further Information

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