

Code of Conduct

1 Purpose

- 1.1 To promote and maintain a workplace which is:
- (a) inclusive, respectful and productive;
 - (b) free from inappropriate behaviour, discrimination, harassment, vilification, bullying and victimisation; and
 - (c) consistent with the [values](#) of Dairy Australia.

2 Scope

- 2.1 The Code of Conduct (**Code**) outlines the standards of conduct expected of all Dairy Australia staff. Staff include all employees, contractors, consultants, agents, official visitors, Dairy Australia members and directors, and other individuals performing services/work for and on behalf of Dairy Australia.
- 2.2 The scope of the Code also extends to relationships between employees through social media in the public domain as outlined in Dairy Australia's *Social Media Policy*.

3 Behaviours

- 3.1 Staff are required to:
- (a) treat colleagues, suppliers, customers, visitors or anyone else associated with Dairy Australia with fairness, dignity and respect; and
 - (b) act ethically, responsibly, honestly and with high standards of personal integrity.

Discrimination

- 3.2 Staff must not directly or indirectly, or incite others to, unlawfully discriminate against other individuals based on a protected attribute defined in this policy or at law. It is unlawful to discriminate, whether directly or indirectly, against a person on the basis of an attribute or personal characteristic protected by law. Such attributes include age, gender and identity, marital status, carer or parental status and responsibilities, disability or impairment, political belief or activity, pregnancy, race, religion, sexual orientation, or any other attribute protected under applicable anti-discrimination laws.

Harassment

- 3.3 Staff must not directly or indirectly, or incite others to, engage in harassment. Harassment occurs when someone is made to feel intimidated, insulted or humiliated because of any of the above-listed attributes. Harassment may occur as a single act or as a series of incidents.

Sexual harassment

- 3.4 Sexual harassment is unwelcome sexual behaviour which could be expected to make a person feel offended, humiliated or intimidated, and can be physical, spoken or written.

Vilification

- 3.5 Staff must not directly or indirectly, or incite others to, engage in vilification. Vilification occurs when a person engages in a public act which is offensive, insults, humiliates, or intimidates a person or a group of people, because of their actual or perceived protected attribute, or inciting others to do so.

Bullying

- 3.6 Staff must not directly or indirectly, or incite others to, engage in bullying. Under the anti-bullying provisions in the *Fair Work Act 2014*, workplace bullying is classified as repeated unreasonable behaviour directed towards another person or group of people that creates a risk to health and safety. Specifically excluded from the definition of workplace bullying is “reasonable management action conducted in a reasonable manner”.

Victimisation

- 3.7 Staff must not directly or indirectly, or incite others to, engage in victimisation. Victimisation is subjecting a person to unfavourable treatment because they make, or intend to make, a complaint of inappropriate behaviour in good faith; or they provide information or evidence in relation to a complaint of inappropriate behaviour. Examples of victimisation in the context of employment includes demotion, dismissal, transfer, suspension or loss of a benefit.

4 Other Responsibilities

4.1 Staff must:

- (a) act in accordance with Dairy Australia’s [values](#) and in the best interests of Dairy Australia;
- (b) comply with all laws and regulations that apply to Dairy Australia and its operations;
- (c) comply with all Dairy Australia policies, procedures, reasonable and lawful instructions, guidelines, regulations and contracts;
- (d) maintain punctuality and attendance in line with agreed working hours;
- (e) not take advantage of property or information of the organisation or its stakeholders for personal gain or to cause detriment to Dairy Australia or its stakeholders;
- (f) not take advantage of their position or the opportunities arising therefrom for personal gain;
- (g) not make unauthorised statements to any third party including the general public about the business of Dairy Australia, or its employees;
- (h) report breaches of the Code to the appropriate person or body within Dairy Australia;
- (i) not represent Dairy Australia in any way other than in the legitimate course of employment with Dairy Australia or with written authorisation from senior management of Dairy Australia;
- (j) dress in a manner appropriate for their workplace;
- (k) participate in training as required by Dairy Australia; and
- (l) if necessary, adhere to Dairy Australia’s complaint management process.

4.2 Managers are additionally responsible for:

- (a) role modelling appropriate standards of behaviour and upholding the Code;
- (b) expediently and professionally managing non-compliance of the Code;
- (c) seeking assistance, support and guidance from HR in managing complaints, investigations and non-compliance; and
- (d) engaging HR to conduct formal investigations.

4.3 HR is responsible for:

- (a) promoting and maintaining the Code and complaint procedure;
- (b) coaching all parties involved in the prevention and effective management of inappropriate behaviour; and
- (c) conducting and managing formal investigations into inappropriate behaviour.

5 Conflict of interest

5.1 Staff must declare, or avoid where appropriate, all conflicts of interest and otherwise refraining from acting or giving the appearance of acting contrary to the interests of Dairy Australia. A conflict of interest may arise where any staff member has a personal interest involving a business decision at Dairy Australia. This may extend to a staff member's family, friends or business associates and in circumstances where a staff member holds multiple roles including interest groups, boards or professional memberships. Permission must be sought by management and/or the Chair to serve in any capacity in any other business or organisation - see the *Membership of External Boards Policy*.

5.2 Staff must:

- (a) be objective in forming professional opinions and advice;
- (b) not allow bias, conflict of interest, or inappropriate influence of others to override their professional judgments and responsibilities; and
- (c) not undertake any agri-political activities in accordance with Dairy Australia's *Constitution* and the *Statutory Funding Agreement* with the Commonwealth Government.

5.3 Full disclosure is required of any actual or perceived conflict of interest as outlined in the Dairy Australia *Procurement Policy*.

6 Gifts

6.1 Staff must not, for themselves or others, seek or solicit gifts, or hospitality and must refuse all offers that may give rise to an actual or perception of a conflict of interest. This includes:

- (a) offers of money (including items used in a similar way to money, or items easily converted to money);
- (b) offers of discounts;
- (c) offers of services; and
- (d) offers of shares.

Gifts or hospitality < \$150

- 6.2 Staff may accept gifts or hospitality, other than what is described in 6.1 above, that are offered as a courtesy that is valued under \$150 (including cumulative offers from the same source over a twelve month period) without approval or declaring the offer on Dairy Australia's Gifts and Hospitality Register, provided that the gifts or hospitality would not be reasonably perceived as a conflict of interest.

Gifts or hospitality ≥ \$150

- 6.3 Staff must declare all gifts or hospitality that are valued at \$150 or more (including cumulative offers from the same source over a twelve-month period) on Dairy Australia's Gifts and Hospitality Register and seek written approval from their Group Manager, or in the case of Group Manager, the Managing Director, or in the case of the Managing Director, the chair of Dairy Australia's Board, or in the case of a Director, the Company Secretary, to accept the offers.
- 6.4 Where there is no opportunity to seek approval prior to accepting, staff must seek written approval within five business days.
- 6.5 Prior to approvals, all gifts are the property of Dairy Australia. Staff may retain the gifts where their Group Manager, or in the case of Group Manager, the Managing Director, or in the case of the Managing Director, the chair of Dairy Australia's Board, or in the case of a Director, the Company Secretary, has provided written approval.

7 Information

- 7.1 Staff must:
- (a) keep confidential information secret;
 - (b) only use confidential information for the purpose of performing their obligations under their employment contract;
 - (c) not use confidential information for their own or another person's advantage or to Dairy Australia's disadvantage; and
 - (d) take all steps reasonably necessary to guard against unauthorised access to or disclosure of confidential information.
- 7.2 In this clause 7, **confidential information** means all information relating to Dairy Australia or any related companies of Dairy Australia, which is disclosed to or acquired by staff, whether orally, in writing or in electronic or machine readable form but does not include information that:

- (a) is in the public domain otherwise than as a result of a breach by staff of their employment contract, this code of conduct, or any other obligation of confidence staff owe to Dairy Australia; or
- (b) staff are required to disclose by law.

8 Complaint management

- 8.1 A formal complaint must be submitted in writing to HR to humanresources@dairyaustralia.com.au. Managers who receive a formal complaint are expected to refer the complaint to HR, adhering to the principles of impartiality. If uncertain whether a complaint is formal or informal, HR should be consulted.

Confidentiality of complaints

- 8.2 Anyone at Dairy Australia associated with the complaint and investigation is required to maintain confidentiality, a breach of which may result in disciplinary action.
- 8.3 Only those involved in the investigation or resolution of a complaint will have access to information about the complaint. In some circumstances, confidentiality may be withheld, for example where there are physical threats or there is a legal reporting requirement.

Impartiality and fairness

- 8.4 Concerns and complaints will be handled in an impartial, discreet and professional manner. In the event of an investigation, all parties will be afforded input to the investigation prior to the determination of an outcome.
- 8.5 Dairy Australia will take all reasonable steps to resolve a complaint made in good faith and ensure no complainant is adversely treated for raising the complaint. Intentionally false or vexatious allegations will be investigated and may result in disciplinary action.

Whistleblower Policy

- 8.6 Employees also have the option to report instances of inappropriate behaviour, confidentially or anonymously in accordance with Dairy Australia's *Whistleblower Policy*.

Disciplinary action

- 8.7 Staff engaging in any inappropriate behaviour detailed in this policy may be subject to disciplinary action that includes termination of employment or engagement.

9 Employee Assistance Program (EAP)

- 9.1 Employees subjected to inappropriate behaviour or involved in a complaint of inappropriate behaviour can access Dairy Australia's EAP service, *D'Accord* at no personal cost. This is a confidential service available to Dairy Australia employees and their partners and may be contacted 24 hours, 7 days on **1300 130 130**. See also www.daccordoas.com.au

10 Administration

Policy Owner	Human Resources Manager
Policy Approver	Board Human Resources Committee and the Managing Director
Effective Date	February 2020

Proposed review date	February 2021. Note: In accordance with clause 24.2 of Dairy Australia's constitution, the Code must be periodically reviewed to check that it is operating effectively and whether any changes are required.
Any other important information	In accordance with clause 24.4 of Dairy Australia's constitution, Dairy Australia's Board must include in its annual report the operations of the Code during the year to which it relates, noting and addressing any material breaches.