



# CODE OF CONDUCT

POLICY



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### DOCUMENT PROPERTIES

<b>Document Title</b>	<b>Code of Conduct</b>
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<b>Approved By</b>	Craig CARMODY - CEO
<b>Approval Signature</b>	
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## CODE OF CONDUCT

### PURPOSE

This Code of Conduct (**Code**) outlines the standards of behaviour required of all individuals at Port of Newcastle.

### SCOPE

This Code applies to all employees, members of the Board of Directors, suppliers, contractors, consultants, customers, tenants, volunteers and third parties that deal with or perform services for Port of Newcastle (**Workers**).

### POLICY STATEMENT

At Port of Newcastle, we are committed to our vision of maintaining Newcastle's position as one of the leading global scale export ports and facilitating continued growth and development of existing and new trades in a sustainable manner.

We are also committed to ensuring we have a direct and honest relationship with our employees built on mutual trust and respect. Port of Newcastle also encourages all contractors to embrace this approach.

This Code outlines the fundamental standards of professional and ethical conduct expected at Port of Newcastle. Maintaining this professional and ethical conduct at all times and upholding Port of Newcastle's values is ultimately the responsibility of every Worker.

The Code provides guidance on how to deal with ethical conflicts of interest that may arise and the mechanisms for reporting and dealing with breaches of the Code. While the Code does not explicitly discuss every ethical issue, it does provide key principles which should be used to guide decisions and behaviours.

The Code and the underlying Port of Newcastle policies which support the Code are essential to upholding our ethical standards, behavioural standards and reputation.

### DEFINITIONS

Term	Definition
<b>Confidential Information</b>	<ul style="list-style-type: none"> <li>a) All information whether oral, graphic, written or in any other form (<b>Information</b>) regarding the current or future business interests, methodologies or affairs of Port of Newcastle;</li> <li>b) all Information that is by its nature confidential, or is designated by Port of Newcastle as confidential, or which the Worker knows or ought reasonably to be expected to know is confidential (including, but not limited to trade practices, pricing policies and customer lists);</li> <li>c) all other Information belonging or relating to Port of Newcastle; and</li> <li>d) Information concerning the business, finances or customers of a third party which Port of Newcastle has an obligation not to disclose, but excluding: <ul style="list-style-type: none"> <li>e) any Information which is lawfully already in the public domain, or becomes part of the public domain other than due to the fault of the Worker or any person for whom the Worker is responsible; and</li> <li>f) any Information which is required to be disclosed by law.</li> </ul> </li> </ul>

**Secondary  
Employment**

Any additional employment or 'outside work' that an employee is engaged in outside of their position with Port of Newcastle. It includes working for another employer, running a business, being involved in a family business or providing consultancy services. It does not include unpaid, not-for-profit commitments conducted outside of normal business hours.

## OUR CORPORATE VALUES

Our **Corporate Values** are:

1. **Wellbeing** – We support and invest in our people and their wellbeing
2. **Integrity** – We are genuine, open and respectful in everything we do
3. **Curiosity** – We challenge the status quo by questioning if there is a better or safer way
4. **Community** – We are engaged with our communities and proud of the Port's role in the region

## WE COMPLY WITH OUR POLICIES, PROCEDURES AND THE LAW

All Workers are responsible for knowing and complying with the law, this Code and Port of Newcastle's policies.

Workers must:

- comply with the Code, Port of Newcastle policies and related procedures; and
- comply with relevant legislative, industrial and administrative requirements.

## WE ACT HONESTLY AND WITH INTEGRITY

Port of Newcastle encourages a speak up culture where employees can communicate and disclose relevant information to managers and supervisors and ensure issues are addressed in a timely manner to optimise Port of Newcastle's best interests and minimise adverse impacts on Port of Newcastle.

Workers must:

- work in a way which gains and maintains trust of those in their team and management; and
- act in Port of Newcastle's best interests, be honest, reasonable and fair towards others at all times.

## WE VALUE AND MAINTAIN OUR PROFESSIONALISM

The way in which Workers conduct themselves impacts how others perceive Port of Newcastle. While at work, and particularly when conducting work for Port of Newcastle in public, Workers should act in a professional and ethical manner in accordance with this Code.

Workers must:

- undertake their duties to the best of their ability;
- strive for continuous improvement; and
- be aware that their conduct, appearance and presentation will be judged as indicative of the professionalism and integrity of Port of Newcastle.

## WE MANAGE CONFLICTS OF INTEREST RESPONSIBLY

To maintain trust and confidence, Workers must effectively manage actual, potential or perceived conflicts of interest.

Conflicts of interest exist when the private interest of a Worker could improperly influence their decisions or actions in the performance of their duties for Port of Newcastle. Conflicts may be actual, potential or perceived, and may or may not involve personal financial reward.

Conflicts of interest may arise in situations involving:

- corporate associations such as being a director, officer, employee, consultant or adviser of another corporation, firm, organisation or person;
- recruitment or procurement decisions involving personal connections, family members or businesses operated by personal connections or family members;
- political and/or community interests such as being a member of a political party, lobby group or community organisation with a purpose relevant to Port of Newcastle;
- Secondary Employment; or
- acceptance of gifts and benefits that give the impression that a Worker may show favour or disfavour to the gift giver.

Employees may not engage in any form of Secondary Employment, outside their official duties, without prior approval of the Chief Executive Officer. Approval will be at the absolute discretion of the Chief Executive Officer and may be revoked by written notice with no obligation to provide reasons.

An employee seeking approval to engage in secondary employment, or to significantly vary an existing approval for secondary employment, must submit a written application to their manager with information concerning the nature of employment and the period involved prior to accepting additional employment. The application shall include an undertaking that:

- the work does not arise from, nor will it interfere with, the employee's official duties;
- the work will not involve a conflict of interest with the employee's official duties;
- the duties will be undertaken outside the employee's working hours;
- the duties will not be in breach of legislation (e.g. basic and advanced fatigue management for drivers of heavy vehicles);
- the work will not adversely affect the employee's health, safety and welfare while performing the employee's official Port of Newcastle duties; and
- no relevant information has been withheld in relation to these points and the arrangements will not be varied without further application.

Workers must promptly disclose any actual or potential conflict of interest and/or any circumstances that could result in a third party perceiving a conflict of interest to their supervisor or manager as soon as practicable after becoming aware of the circumstances giving rise to the conflict. Workers must seek guidance from their supervisor or manager about how to proceed and must follow all lawful and reasonable directions in relation to managing the conflict. In the context of Port of Newcastle business negotiations and certain decision-making processes, resolution of the conflict may require the Worker to remove themselves from the decision-making process.

In order to assist Workers to identify a potential conflict, Workers should ask themselves the following questions:

- Will this situation impact my ability to perform my job in the best interests of Port of Newcastle?
- Could this situation be perceived by others, either internal or external to Port of Newcastle, as a conflict of interest?
- Can I continue to make impartial decisions in this situation?

## WE PROTECT CONFIDENTIAL INFORMATION

A great deal of information held by Port of Newcastle is either personal, commercially sensitive, politically sensitive or confidential for other reasons.

Workers must:

- only access or use Confidential Information if they are required to do so in the course of performing their duties, and only to the extent necessary to perform their duties;
- not memorise, modify, reverse engineer or make copies of Confidential Information for any purpose other than in connection with the performance of their duties;
- keep all Confidential Information in the strictest confidence and not disclose Confidential Information to any person with the consent of Port of Newcastle;
- not use or modify any Confidential Information for the Worker's own use or benefit or the use or benefit of any third party; and
- on termination of the relationship between the Worker and Port of Newcastle or at any time at the request of Port of Newcastle promptly disclose and deliver up to Port of Newcastle, all Confidential Information including copies in the Worker's possession, custody or control.

These obligations will survive any contractual relationship between the Worker and Port of Newcastle.

If Workers have any doubt concerning the nature of information, they should discuss it with their manager.

## WE UPHOLD LABOUR LAWS AND EQUAL OPPORTUNITY

Workers are expected to uphold labour laws and human rights of workers, and to treat them with dignity and respect.

Workers shall not discriminate against any worker based on their age, disability, ethnicity, gender, marital status, national origin, political affiliation, race, religion, sexual orientation, or union membership.

Workers must comply with Port of Newcastle's Equal Employment Opportunity Policy or their own equivalent policy.

## WE UPHOLD HUMAN RIGHTS AND COMPLY WITH MODERN SLAVERY PRINCIPLES

Workers are expected to uphold human rights in all aspects of our operations and supply chains.

Workers are also expected to source ethically and responsibly and exercise due diligence on the source of materials and operations in our supply chain.

Workers must comply with Port of Newcastle's Human Rights and Modern Slavery Policy.

## WE USE RESOURCES AND ASSETS RESPONSIBLY

Workers are expected to be efficient, economical and careful in their use and management of Port of Newcastle's resources and assets including funds, personnel, equipment and their own work time.

Workers must:

- ensure value for money is achieved and obtain approval before committing or spending Port of Newcastle funds, assets or resources in compliance with Port of Newcastle policies;
- not use Port of Newcastle's resources and/or assets for personal gain or the gain of any other person, or assist others in such behaviour;
- not use Port of Newcastle's facilities or equipment for personal reasons unless official permission has been given.

## OUR RESPONSIBILITIES

Workers are responsible for:

- knowing of and complying with the Code, Port of Newcastle policies, relevant procedures, standards and legislation impacting their role;
- holding each other to account;
- seeking guidance if an ethical issue arises and declaring and resolving any potential or actual conflict of interest; and
- reporting suspected breaches of the Code to their supervisor, manager or a member of the Executive Leadership Team.

Management is responsible for:

- ensuring Port of Newcastle Workers have access to and understand the Code, relevant Port of Newcastle policies, procedures, standards and legislation impacting their role;
- ensuring Port of Newcastle's compliance with the Code;
- leading by example in promoting the values contained in the Code; and
- reporting and addressing any breaches of the Code.

## BREACHES OF THE CODE

Any Worker found to have breached the Code will be subject to disciplinary action up to and including dismissal.

## REVISION HISTORY

This document shall be reviewed:

- every 2 years or sooner in the event of a change in relevant legislation; or
- where otherwise approved.

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3	DD/MM/YYYY	First name Surname	
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