

<b>Policy Owner:</b>	College Director/Principal
<b>Contact Officers:</b>	Quality and Compliance Manager
<b>Policy Number:</b>	QBIPO009
<b>Approved by:</b>	Senior Management Group
<b>Date Approved:</b>	22 October 2011
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<b>Related Policies:</b>	Bullying Harassment and Discrimination Policy Equal Opportunity Policy Navitas Anti-Discrimination and Prevention of Harassment Vilification and Bullying Policy Navitas Code of Conduct – Company’s Obligations to Stakeholders Navitas Drug and Alcohol Policy Navitas Wellness, Health and Safety Policy Navitas Work Health and Safety (WHS) Policy Occupational Health and Safety Policy Privacy Policy
<b>Related Documents:</b>	Gift Register ECC Code of Practice ECC Service Principles ECC Work Health and Safety Plan

## 1. Overview

- 1.1. The purpose of this policy is to provide a framework around ECC’s staff code of conduct and ethical business practices. Many elements of this framework are addressed in related ECC policies, with the most directly related policies listed above.
- 1.2. The policy has been developed in line with requirements set out by the Navitas Board and their policy entitled: *Code the Conduct – The Company’s Obligations to Stakeholders*.
- 1.3. ECC is registered as a Non-University Higher Education Provider (NUHEP), Registered Training Organisation (RTO), TEQSA accredited language tuition provider and CRICOS registered provider. As such, ECC will comply with all regulatory requirements as stipulated by the relevant regulatory standards and our partner university.

## 2. Organisational Scope

- 2.1. This policy applies to all ongoing and casual staff of ECC.

## 3. Definitions

- 3.1. **ASIC** – Australian Securities and Investment Commission which enforces financial services laws in relation to publicly listed companies such as Navitas.
- 3.2. **Company** – refers to Navitas Limited. ECC is a joint venture between Edith Cowan University and Navitas, however it continues to be a business unit of Navitas which is the parent Company.
- 3.3. **Register of Gifts** – a list that records the donor, recipient and circumstances regarding the receipt of the gift.
- 3.4. **Stakeholder** – includes students, Edith Cowan University (ECU), employees, Navitas, creditors, customers, suppliers, contractors, government and non-government organisations, the local community and other parties that have influence over, or are influenced by the actions of ECC.

#### **4. Policy Principles**

- 4.1. This Code of Conduct (Code) reflects our high standards of professional conduct and ethics in dealing with all of our stakeholders and our commitment to complying with all applicable State, national and international laws.
- 4.2. In addition to this Code, ECC complies with all provisions of the *Corporations Act 2001*, the ASX Listing Rules and all other applicable rules and legislation.

#### **5. Policy Content**

- 5.1. ECC highly values its students, clients and stakeholders. We continually strive to deliver the best possible outcomes for them and aim to act fairly and reasonably in our dealings with them.

##### **5.2. Quality and Safety**

- All products and services comply with the highest quality standards. ECC also ensures the provision of accurate information so that stakeholders may make informed decisions regarding the Company's products and services.

##### **5.3. Privacy Policy**

- In some circumstances it will be necessary to maintain files about our stakeholders.
- ECC is bound by, and complies with the *Privacy Act 1988* and the National Privacy Principles [extracted from the Privacy Amendment (Private Sector) Act 2000]. The National Privacy Principles set the standards by which ECC handles information collected from clients.
- ECC is also bound by, and complies with the provisions the Privacy Act that relate to Mandatory Data Breach Reporting (MDBR) in the event that personal information is accidentally or unlawfully accessed, lost, disclosed, altered or destroyed.
- ECC only maintains files about a stakeholders from information provided by them or related companies as a consequence of information provided by the stakeholder.
- ECC does not disclose information about the stakeholder except in the ordinary operation of the affairs of ECC, which may include providing information on a confidential basis to a mailing house when we send out newsletters and other publications concerning services available to stakeholders.
- At any time a stakeholder may opt out of receiving communications from ECC (other than as required for the operation of our business, (eg regarding payment of an account or to communicate in relation to a legal matter).
- Ordinarily we will not release the contents of a file without the stakeholder's consent. However, we advise that there may be occasions where ECC may be required to release the details of a file, irrespective of whether the individual has consented to the disclosure of the information. This will occur where the law requires disclosure.
- A stakeholder may, without reason, request access to the information held about them. If a stakeholder believes that any information held about them is incorrect, incomplete or inaccurate they may request the information to be amended. If ECC does not agree that there are grounds for amendment then ECC will add a note to the information stating that the stakeholder disagrees with it.
- Any questions regarding the operation of this Privacy Policy should be directed to the ECC Quality and Compliance Manager.

##### **5.4. Agreement with Stakeholders**

Certain understandings between a company and a stakeholder are considered anti-competitive and illegal. These include agreements that fix resale prices or result in discriminatory pricing between clients for the same product. These types of restrictive understandings must not be agreed to or discussed with a stakeholder.

**EMPLOYMENT PRACTICES:**

**5.5. Equal Opportunity**

ECC is an equal opportunity employer. This means that ECC does not discriminate on the basis of racial origin, gender, age, ethnicity, marital status, disability, religious or philosophical beliefs, sexual preference or political affiliation.

ECC has zero tolerance of any behaviour that constitutes unlawful discrimination or harassment. ECC considers allegations of harassment and unlawful discrimination as extremely serious and will take appropriate action.

**5.6. Diversity**

ECC promotes and supports a diverse workforce at all levels of the organisation. It is ECC's belief that creating a work environment that enables us to attract, retain, and fully engage diverse talents leads to enhanced innovation and creativity in our products and services.

**5.7. Work Health and Safety**

- ECC strives to protect the physical and emotional health of all employees in the workplace.
- ECC has zero tolerance of any behaviour that constitutes sexual assault, bullying, harassment and/or unlawful discrimination. ECC regards any such allegations as extremely serious and will take appropriate action.
- ECC has developed a set of core work, health and safety standards articulated in its Work Health and Safety Plan and related policies. These standards are implemented through education and training, and are regularly reviewed. The standards are in compliance with applicable health laws, regulations and appropriate practices.
- ECC ensures a safe and hazard-free workplace.
- ECC adheres to comprehensive safety standards focusing on hazard identification and risk assessment. These standards are implemented through education and training, and are regularly reviewed. The standards are in compliance with applicable safety laws, regulations and appropriate practices.

**5.8. Training and Potential**

ECC believes in enabling employees to develop to the extent of their full capabilities. We will improve our employee's skills and competencies via regular performance reviews and undertaking education, training and coaching. We recognise potential and offer professional development opportunities within the organisation.

**5.9. Use of Company Funds and Resources**

- Employees must not use ECC funds, property, equipment or other resources for personal benefit.
- Employees should use ECC funds sensibly and effectively. Employees must report expenditures accurately. ECC will treat the submission of a fraudulent expense report as serious misconduct.

**5.10. Confidentiality**

- Employees are required to protect proprietary, commercial and other information that is confidential to ECC and Navitas. Obligations of confidentiality continue after an individual's employment with ECC ends.
- Information that is not publicly available concerning the activities, results or plans of ECC and Navitas must only be used for authorised purposes.

**5.11. Insider Trading**

- In the course of doing business for ECC or in discussions with ECC or Navitas' clients or customers, stakeholders or employees may become aware of material non-public information about the organisation. Information is considered material if an investor could

use the information to make a decision to trade in the shares of Navitas or another listed organisation.

- In accordance with ASIC rules relating to publicly listed companies, stakeholders (including employees) must not buy or sell the shares in Navitas if they have such information, and must not share this information with others.

#### **5.12. Conflicts of Interest**

- Employees of ECC are expected to act at all times in the organisation's best interests and to exercise sound judgment unclouded by personal interests or divided loyalties.
- Employees must avoid the appearance of, (as well as actual), conflicts of interest in both in their performance of duties for ECC and in their outside activities.

#### **5.13. Drug and Alcohol Use**

- Employees of ECC will not be under the influence of drugs or alcohol in any situation where they are identifiable as an employee of the organisation.
- Smoking is not permitted in the workplace nor anywhere on campus.

#### **5.14. Fair Trading and Dealing**

ECC believes that ECC, Navitas, the economy and the public benefit if businesses compete vigorously. ECC employees and representatives will treat clients, business allies and suppliers fairly and will not engage in anticompetitive practices that unlawfully restrict the free market economy. ECC is therefore firmly committed to upholding the *Competition and Consumer Act 2010* (Cth) and corresponding State legislation.

#### **5.15. Bribes**

- ECC's objective is to compete in the marketplace on the basis of superior products, services and competitive prices.
- No payment in any form may be made directly or indirectly to anyone for the purpose of obtaining or retaining business, or to obtain any other favourable action. A violation of this policy will subject the employee to disciplinary action as well as potential criminal prosecution.

#### **5.16. Gifts**

- Employees must exercise extreme care when giving or receiving business-related gifts.
- Employees should exercise particular caution in regard to any offers of value, including hospitality, entertainment and gifts when ECC is negotiating a contract and so may be in a position to influence, directly or indirectly the outcome of a decision. There must not be an impression of an improper connection between any gift and business opportunities.
- An employee may only receive a gift where the value of that gift is demonstrably below \$250. Should the employee consider that refusal would cause offence, they may accept the gift on the proviso that they inform ECC management for approval. Should ECC management consider the gift to be inappropriate, they will decide whether the gift should be returned or donated to a worthy cause. In any event ALL gifts offered, regardless of value, must be reported to the College Director for inclusion in the Register of Gifts.
- Employees must not request gifts from any party with whom ECC conducts business. Employees must not exchange gifts with competitors as this may create an actual or perceived conflict of interest.

#### **5.17. Agreements with Competitors**

- Formal or informal agreements with competitors that seek to limit or restrict competition in some way are often illegal. Unlawful agreements include agreements that seek to fix or control prices, allocate products, markets or territories, or boycott certain customers or suppliers.
- To ensure compliance with State and Federal Trade Practices legislation, discussions with competitors regarding any of these potential agreements is a violation of Company policy and will subject the employee to disciplinary action as well as the potential for criminal prosecution.

## RESPONSIBILITIES TO THE COMMUNITY

### 5.18. Environmental Protection

ECC respects the environment and protects our natural resources. Wherever possible ECC will prevent or otherwise minimise and mitigate harmful effects of our operations on the environment. Compliance with all environmental laws and regulations is the foundation on which we build our environmental performance.

### 5.19. Human Rights

- ECC support human rights consistent with the Universal Declaration of Human Rights and respects those rights in conducting operations around the world.
- ECC looks for opportunities to support positive efforts to promote broader understanding of human rights values, especially where they assist the organisation's local communities.

### 5.20. Support for the Community

ECC have a strong commitment to the improvement of society as well as the communities in which it serves and operates. ECC encourages the support of charitable, civic, educational, and cultural causes.

### 5.21. Political Involvement

ECC does not directly or indirectly participate in party politics. ECC does not make payments to political parties or individual politicians in any country.

## RESPONSIBILITIES TO THE INDIVIDUAL

### 5.22. Collecting information

Collecting information on our competitors from legitimate sources to evaluate the relative merits of their products, services, and marketing methods is proper and often necessary. However, ECC considers stealing information as a serious breach of this Code of Practice. In addition, seeking confidential information from a new employee who recently worked for a competitor, or an employee misrepresenting their identity in the hopes of obtaining confidential information from a competitor is strictly prohibited.

### 5.23. International Compliance

- Where ECC operates outside of Australia, ECC will comply with all local and international laws. Employees are expected to know and follow the laws of the relevant market where ECC operates.
- If the standards in the foreign jurisdiction are lower than those imposed by the Australian legislation, ECC reserves its rights to consider whether it is appropriate in the circumstances to comply with the Australian legislation or whether compliance with the local law is sufficient.

### 5.24. Monitoring Compliance with this Code

- It is the responsibility of every employee of ECC to promote this Code of Practice.
- ECC has established a system for reporting violations of any of ECC policies and the Code of Practice, as well as any suspected misconduct by any employee or representative of ECC. This may be done in writing to College Director of ECC and marked "Private and Confidential".
- ECC will not permit any form of retribution against any person, who, in good faith, reports known or suspected violations of the Code of Practice or any other ECC policy.

## 6. Administrative Procedures

6.1. This policy is accessible through the ECC website at: [www.edithcowancollege.edu.au/policies](http://www.edithcowancollege.edu.au/policies).

6.2. Related documents can be found at: <https://www.edithcowancollege.edu.au/documents-and-forms>

- 6.3. Any recommendations for process improvement or policy change arising will be forwarded to the Senior Management Group for recording and consideration.
- 6.4. This policy and related procedures will be communicated to staff via email and the website. New staff will receive the policy during the induction process as it relates to their position.