

# Western Power's Code of Conduct

August 2023



## MESSAGE FROM OUR CEO

For more than 70 years, we've been an essential part of the Western Australian community by providing safe, reliable and efficient electricity. Responding to community expectations we are transitioning our network to the grid of the future, that's leading the way to a cleaner and more resilient energy supply for the next generation. The work we do is very important, but just as important is how we go about delivering it.



Our success depends on the trust and respect we have with each other, our stakeholders and our community. We must never take this trust and respect for granted. We build and maintain this trust and respect through the way we behave. Our Code of Conduct sets out the behavioural standards we expect.

Our Code of Conduct provides clear standards to which we must hold ourselves and each other accountable for, to help make the right choices and achieve the highest standards of business ethics. It sets out how we will conduct our business and provides the ethical and behavioural framework on which we base our day-to-day decisions.

Importantly, the Code of Conduct is based on the laws and other rules that apply to Western Power, but it is underpinned by and aligned to our corporate values. Our values are integral as they make the link between what we have a right to do and what is right to do.

Knowing, understanding and complying with the Code of Conduct is a fundamental part of who we are and what we stand for at Western Power. It applies to all of us without exception. If you come across a situation that's inconsistent with our Code of Conduct, please say something. I will support anyone who raises a concern that reveals misconduct within our business and assure you that allegations of misconduct will be investigated appropriately.

Each of us has a part to play in living and upholding the behaviours outlined in our Code of Conduct, no matter our role. I'm proud to be part of an organisation that is committed to doing the right thing and having a safe, diverse and inclusive environment, and I thoroughly enjoy working alongside people who act with honesty, integrity and fairness.

**Sam Barbaro**

CEO

A handwritten signature in blue ink, appearing to be 'S. Barbaro', written over a light blue horizontal line.

## Introduction

Western Power's vision is to work together to power a cleaner energy future. Central to this vision is acting with integrity, which is underpinned by exercising good judgment, doing the right thing and building trusted relationships through being open and honest.

This Code of Conduct (**Code**) has been established in accordance with the *Electricity Corporations Act 2005 (WA)*, as a central guide to help everyone of us make the right decisions within Western Power.

It helps by highlighting our responsibilities so we can identify the risks relevant to our different roles, and sets the standards and fundamental principles that reflect our values for appropriate ethical, responsible and professional behaviours.

By making this Code publicly available through our website, Western Power commits to transparency with all stakeholders in the way we conduct our business.

## Who does this Code apply to?

This Code applies to all Western Power Personnel, including:

- every employee, officer and director of Western Power
- every embedded contractor
- every other contractor (and their sub-contractors) is contractually bound to apply the Code when performing activities on behalf of Western Power.

Western Power views all Personnel to whom this Code applies as ambassadors of the business and expects that those individuals represent and promote Western Power in a positive and professional manner.

A reference to 'we' and 'our' in this Code is a reference to every member of Personnel.

## Observing the Code of Conduct

All Personnel have an accountability and responsibility for understanding and complying with the principles stated within this Code - Compliance with this Code is mandatory.

## Our Principles

Western Power seeks to maintain the highest ethical standards and professional conduct in both our internal interactions with one another and when representing the organisation to our stakeholders, our customers and the wider community.

As such, we are always expected to act consistently with the following principles:

- We act with honesty, integrity and fairness and are accountable for our actions and decisions
- We comply with laws, regulations and our policies
- We act within our delegated authority
- We are safe and caring and put safety first
- We identify and manage conflicts of interest
- We respect, safeguard and do not misuse Western Power assets
- We ensure privacy and confidentiality of information and accurately maintain records
- We embrace diversity, treat others with respect and create an inclusive workplace culture
- We are committed to environmental sustainability.

## We act with honesty, integrity and fairness and are accountable for our actions

In performing our duties, honesty, integrity and fairness should guide our decisions in order to ensure Western Power's reputation is maintained, and the corporation remains a trusted service provider to the community.

We are expected to act in a professional manner by:

- dealing fairly with all our colleagues, customers, suppliers and stakeholders
- performing our duties with care and diligence
- making fair, impartial and prompt business decisions, considering all available information and rules
- being accountable for our decisions and actions
- at all times, acting in the best interests of Western Power by avoiding conflicts of interest where possible and managing those which cannot be avoided
- abstaining from taking actions that compromise Western Power's name, reputation, legitimate interests and business objectives
- ensuring business relationships are maintained in a manner consistent with the principles and philosophies contained within this Code.

Western Power is committed to ensuring the highest integrity in relation to human rights. We recognise our responsibility to identify and address modern slavery risks within our operations and procurement practices and consider whether any aspect of these practices contributes to, or perpetuates, human rights issues within Australia and abroad.

## We comply with laws, regulations and our policies

We respect and observe all applicable laws<sup>1</sup> and all Western Power corporate policies<sup>2</sup>.

All Personnel must comply with and follow all lawful directions given by, and must refrain from hindering or obstructing, an officer who is acting in an official capacity pursuant to legislation.

Personnel may contact Western Power's Legal Services or Corporate Compliance areas for specific guidance, before any action or decision is undertaken, where uncertain as to the application or interpretation of laws or company policy.

For further details on the laws applicable to Western Power and for a list of the current Western Power policy documents, refer to the online compliance register and policy register accessible via the GRID.

### **Public Interest Disclosure**

Western Power will support and protect anyone who makes a 'public interest disclosure' (PID).

A PID is a disclosure of information that indicates past, present or future wrongdoing by Western Power (including by its Personnel) whilst in the performance of its public functions. Personnel can, at any time, make a public interest disclosure to one of Western Power's PID Officers.

Fraud, corruption and other illegal activity  
Western Power has zero tolerance for illegal behaviour or practices. We seek to prevent and detect fraud and corruption using appropriate internal controls. Additionally, investigative techniques may be used by Western Power to determine whether misconduct is occurring or has occurred. For further information see Western Power's Fraud and Corruption Control Plan and Standard.

Personnel must disclose to their formal leader, a Public Interest Disclosure Officer (PID Officer), a Forensic Specialist, contract manager or the Corporate Compliance Manager any illegal behaviour (such as theft, fraud, corruption, conspiracy and maladministration) that comes to their attention.

Formal leaders that become aware of any illegal behaviour must report it to a Forensic Specialist, the Corporate Compliance Manager or a PID Officer.

Where appropriate, Western Power will refer illegal behaviour to law enforcement agencies.

<sup>1</sup> Legislation, regulations, codes of practice, and Australian or other standards incorporated into legislation.

## We act within our delegated authority

Western Power's Board has approved a Delegated Financial Authority Policy and Authority to Execute Documents which authorise prescribed Personnel to undertake various activities on behalf of the business. Personnel have a responsibility to understand and act within any limits of any authority delegated to their position and any relevant associated company policy. When engaging with suppliers and contractors, Personnel must be aware of and comply with Western Power's Procurement Policy and Conflict of Interest and Gift Standard.

If Personnel are uncertain as to the application of the Delegated Financial Authority, Authority to Execute Documents or corporate policies, clarification must be sought from their formal leader, Corporate Compliance or Financial Accounting.

## We are safe and caring

We put safety first by respecting and taking care of each other and our community and the environment. We believe that everyone has the right to a safe workplace and to return home free from injury and harm. We understand that this goes beyond physical safety and covers overall health and wellness including psychological safety.

We have a Stop Work Authority. We expect all Personnel to speak up and stop work where they believe it is unsafe to proceed.

Personnel are responsible for ensuring they are fit for work when they attend the workplace. Western Power has set mandatory requirements for fatigue, drug and alcohol to ensure we can perform our work in a safe and competent manner and maintain a safe workplace.

Contractors (and their sub-contractors) must implement their own safety, health and environment management systems (and associated documentation), which meet or exceed Western Power's minimum standards.

## We are committed to environmental sustainability

Western Power is committed to protecting the environment in the conduct of its operations. All Personnel are expected to eliminate or minimise environmental impacts, preserve biodiversity, prevent pollution, promote the efficient use of electricity and

<sup>2</sup> All policies and supporting frameworks, standards, guidelines and work instructions.

resources and reduce waste and emissions. When conducting our activities, Western Power will cooperate with Government, local residents and traditional owners of the land to ensure relevant environmental and heritage values are preserved and issues are addressed.

Western Power endeavours to seek ways to reduce our carbon footprint and assist others to use the grid to reduce their emissions.

## We identify and manage conflicts of interest

### **Conflicts of interest**

Our personal interests should not conflict with our duties and obligations to Western Power and we must not allow any actual, potential or perceived conflict of interest to affect our operations, decisions or reputation.

Western Power's Conflict of Interest and Gift Standard and Conflict of Interest and Gift Procedure describes what an actual, potential and perceived conflict of interest is, and outlines how and when they must be disclosed and managed.

### **Gifts and hospitality**

Personnel must not seek, offer or accept any gifts, benefits or hospitality that fall outside the Gifts rules established by the organisation. To do so may create a conflict of interest, which can undermine Western Power's reputation and business effectiveness. It may also expose individual Personnel and Western Power to legal action and criminal charges.

A gift or hospitality may be accepted by you only in accordance with Western Power's Conflict of Interest and Gift Standard.

### **Facilitation payments**

Western Power prohibits, and you must not be involved in, the giving or receipt of facilitation payments.

### **Political involvement**

Western Power does not directly or indirectly participate in party politics nor make payments to political parties or individual politicians.

Western Power does not seek to restrict Personnel from participating in the political process when acting in a personal capacity as a private citizen. However, where that participation creates an actual or perceived conflict of interest Personnel must manage that conflict in accordance with Western Power's Conflict of Interest and Gift Standard.

## We respect, safeguard and do not misuse Western Power assets

Personnel must use Western Power assets, including funds, tools and equipment, in an authorised, efficient and appropriate way, and only for business purposes.

This includes:

- preventing the misuse of assets and information
- controlling and securing assets and information appropriately
- avoiding extravagance or wastefulness
- complying with the Western Power Travel Guideline
- applying commercial principles when purchasing and disposing of assets
- adhering to the Procurement Policy
- reporting damage and losses immediately.

### **Information technology**

Personnel must use Western Power Information and Communication Technology (ICT) assets and facilities for business purposes and ensure that personal use is limited in accordance with the Information and Communication Policy. ICT assets and facilities provided by Western Power must be used responsibly, appropriately and ethically.

Personnel must keep confidential all access details to their Western Power ICT accounts and various programs and files, and not manipulate, interfere with or access unauthorised computer systems.

Personnel must exercise care in the use of ICT systems and assets to avoid exposing Western Power to cyber security attacks or disclosure of confidential information and must not knowingly undertake any action that undermines cyber security protections.

Inappropriate use of ICT assets is regarded as misconduct and will be dealt with accordingly. Western Power reserves the right to monitor and block the use of the internet, email and other electronic resources at any time to the extent permitted by legislation.

### **Use of social media & other networks**

Western Power recognises that Personnel may interact with various forms of social media in their personal capacity.

However, posting on external social media in the name, or on behalf, of Western Power may only be conducted with express authority to do so pursuant to the Communications Policy and Social Media Guidelines.

Western Power also promotes the use of internal social networking tools, such as Viva Engage, for business purposes. Personnel must ensure we act within the principles of this Code, particularly those involving diversity and treating others with respect, in all such communications and interactions.

When using social media in their personal capacity Personnel must not:

- compromise their productivity or effectiveness at work
- imply or suggest that Western Power endorses or supports their views
- disclose confidential information without express authority
- bring Western Power into disrepute.

## We ensure privacy and confidentiality of information and accurately maintain records

The accuracy, use and handling of information is critical to Western Power's integrity and reputation, and achieving our vision.

To protect information, reports and other data, Personnel must ensure that:

- all records made in the course of employment with Western Power are saved in the appropriate record management system in line with the Information Management Standard, ensuring that only those Personnel authorised to use or access sensitive or confidential information in the course of their role at Western Power are given permissions to access that information
- all records are accurate in their description and purpose, and no false or misleading records are created or maintained
- personal information is accurate, complete, up to date
- the confidentiality and privacy of information about Western Power, its customers and employees are respected and maintained
- sensitive or confidential information is securely stored
- appropriate confidentiality of information is maintained after ceasing to have a relationship, working or otherwise, with Western Power
- information is only released externally where legislation permits or requires it
- information is used only for the purposes required as part of designated Western Power duties

- confidential information that is not publicly available is not used for private gain or advantage of others
- the government is provided with timely, accurate and well considered information and policy advice.

### **External communications and official information**

To maintain Western Power's integrity and corporate reputation, we recognise the importance of communicating accurate and consistent information.

Only appropriately authorised Personnel may communicate with the media, key stakeholders (including the Minister for Energy), regulators and customers in relation to matters that relate to Western Power. Personnel should familiarise themselves with the requirements of Western Power's Communications Policy and the frameworks, standards and protocols that underpin that policy.

## We embrace diversity, treat others with respect and create an inclusive workplace culture

Western Power recognises and embraces the diversity among its people and members of the public. We seek to understand, are accepting of, and have respect for all cultures and related heritage. All forms of bullying, discrimination, harassment (including sexual harassment) and victimisation are prohibited. We will not unlawfully discriminate on the grounds of:

- sex
- gender identity
- marital status
- sexual orientation
- intersex status
- pregnancy
- breastfeeding
- race or ethnic origin
- religious beliefs
- political beliefs
- disability
- family responsibilities
- family status
- age
- an employee or a member of the public raising a concern or making a complaint.

Personnel must apply these principles in all dealings with work colleagues or any persons who they engage with in the performance of their role at Western Power.

Western Power also promotes the use of appropriate terminology, representations and protocols when acknowledging Aboriginal and Torres Strait Islander people. Further guidance can be found in the Equity and Diversity Standard for further details.

## Legislative requirements

The *Electricity Corporations Act 2005 (WA)* and the *Government Trading Enterprises Act 2023 (together Acts)* contain specific duties and obligations that are applicable to directors, officers and employees of Western Power. The principles outlined in this Code are in addition to these specific statutory duties and obligations. Where there is a conflict between the Acts and this Code, the Acts prevail to the extent of any inconsistency.

In addition, the Board has established the Guide to Directors' and Executive Officers' Obligations & Responsibilities, which outlines expected behaviours that assist directors and executive officers in the successful discharge of fiduciary and other duties.

## Consequences of breaching this Code

All Personnel have the responsibility to report to their formal leader (or Board Chair in the case of a non-executive director) every breach of this Code, or any matter of serious concern, that they are aware of.

In the case of contractors (and their sub-contractors) performing activities on behalf of Western Power, breaches of this Code should be reported through to the relevant contract manager.

Any suspected or actual breach of this Code may also be reported by employees via the independent and confidential Integrity Hotline on 1300 30 45 50 or email [westernpower@stopline.com.au](mailto:westernpower@stopline.com.au).

Personnel who breach this Code or any of the policies, guidelines or procedures made under it, or Personnel who authorise or permit any breach by a subordinate, may be subject to disciplinary action, including dismissal.

Instances of such behaviour may also meet the definition of misconduct under *the Corruption, Crime and Misconduct Act 2003 (CCM Act)*. Under the CCM Act, Western Power is required to notify the Public Sector Commission or Corruption and Crime Commission of reasonable suspicion of any such misconduct.

## Accountabilities

### **Policy content owner**

The content owner of this Code, in conjunction with the head of Governance, Risk & Compliance, is accountable for:

- providing refresher training on the content of the Code on a three yearly basis in accordance with the Commissioners' Instruction 40: Ethical Foundations
- monitoring the continuing relevance and currency of this Code to Western Power
- publishing the approved version of this Code in Western Power's corporate policies register.

### **Formal leaders**

Every Formal Leader within Western Power is accountable for ensuring that all Personnel in their areas of responsibility are aware of and are provided with appropriate education on each of their obligations under this Code. Formal Leaders are also required to report breaches of this Code to Corporate Compliance.

### **Head of Human Resources**

The Head of Human Resources is accountable for:

- in consultation with Corporate Compliance, assigning Code of Conduct induction training to new members of Western Power Personnel
- administering disciplinary and remedial actions in respect to breaches of this Code.

## Document control

### **Review**

This Code will be reviewed and evaluated by the Board at least once in every three-year period taking into account the purpose of the Code and the outcome of the compliance review.

### **Content Owner**

General Counsel

## **Related Documents**

<b>Description</b>	<b>EDM Reference</b>
Asset Management Policy	EDM 26576898
Assurance and Risk Policy	EDM 32565084
Authority to Execute Documents	EDM 34010490
Communications Policy	EDM 25281443
Conflict of Interest and Gift Procedure	EDM 34212103
Conflict of Interest and Gift Standard	EDM 34015624
Delegated Financial Authority	EDM 42624629
Equity and Diversity Standard	EDM 24639923
Financial Management Policy	EDM 31597243
Fraud and Corruption Control Plan	EDM 34329943
Fraud and Corruption Standard	EDM 34224801
Guide to director's and executive officer's duties & responsibilities	EDM 22785841
Information and Communication Technology Policy	EDM 34171883
Investment Management Policy	EDM 41102544
People Management Policy	EDM 34193494
Procurement Policy	EDM 34034136
Public Interest Disclosure Standard	EDM 34011613
Information Management Standard	EDM 34049528
Safety, Health and Environment Policy	EDM 31986289
Social Media Guidelines	EDM 44316465
Travel Guideline	EDM 50717285



## Approval history

Version	Approved by	Date	Resolution no.	Notes
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9.	Board	06/08/2013	17/2014/BD	
10.	Board	03/02/2015	77/2015/BD	
11.	Board	05/06/2018	80/2018/BD	
12.	Board	09/08/2021	012/2022/BD	
13.	General Counsel	03/02/2023	N/A	Approval of minor changes under delegation by the General Counsel in accordance with section 5.1 of the Corporate Document Framework (EDM 23219616)
14.	General Counsel	11/08/2023	N/A	Changes resulting from GTE Act. Approval of minor changes under delegation by the General Counsel in accordance with section 5.1 of the Corporate Document Framework (EDM 23219616)