



Code of Conduct Policy

November 2019



Policy Statement

Everyone working at Auckland Transport (AT) must fulfil their obligations with the highest standards of professionalism, impartiality, ethics and integrity. AT works with a spirit of service to the community, and the Code of Conduct (Code) helps us meet the high standards of integrity and conduct that Aucklanders expect of us.

Purpose

The purpose of this policy is to provide the foundation for the values, principles and beliefs that we share and stand for when we work to deliver services and outcomes to Aucklanders.

We all need to ensure that AT meets its obligations to the community with professionalism and integrity. This policy sets out the expectations for the way that we as employees and representatives of AT conduct business with the community, other organisations and with each other.

This policy also serves to alert employees and representatives that failure to conduct business in compliance with this Code may result in disciplinary action against employees, up to and including dismissal, or the termination of a representative's agreement.

Scope

This policy applies to:

- All AT employees;
- AT representatives:
 - Contractors & consultants
 - Agency temps (in accordance with the terms of their supplier agreement with AT)
 - Staff on secondment from other organisations / agencies
 - Volunteers
- AT Directors

All agreements for/with all agency staff, seconded personnel, contractors and consultants must contain an express obligation on them to comply with this Code of Conduct.

This policy applies to the following situations (which are not exhaustive):

- When exercising all employment related duties and functions;
- When exercising all statutory authorities;
- Work related activities, events, meetings, conferences, etc. held inside or outside of normal working hours/premises, where an employee or representative represents, or could be perceived to represent AT, and any activity which could be perceived to negatively affect the employee's or representative's ability to do their work, the good name and reputation of AT, its business dealings with others, or interpersonal relationships in the workplace.



Policy Principles

AT employees and representatives must:

- Fulfil their obligations with the highest standards of professionalism, impartiality, ethics and integrity;
- Perform their duties honestly, faithfully and efficiently, respecting the rights of the community and colleagues;
- Be accountable and trustworthy, and be responsible custodians of Auckland’s assets and funds;
- Practice and promote AT values to inspire and build trust with the community and colleagues.

Definitions

Disciplinary Action	Disciplinary action can take many forms, including first written warning, final written warning and dismissal. Action short of dismissal should be seen primarily as a corrective measure, aimed at preventing further misconduct or poor performance.
Dismissal	Dismissal occurs when the employment relationship is terminated by the employer. An employee may be dismissed for misconduct or on-going poor performance. Summary dismissal is where a person’s employment is terminated immediately (i.e. without notice) due to serious misconduct or other cause justifying summary dismissal.

Roles and Responsibilities

Role	Responsibility
All Employees and Representatives	<ul style="list-style-type: none"> • Adherence and compliance with this policy, procedure and guideline
All Group & Department Managers and Executive Leaders	<ul style="list-style-type: none"> • Promote the principles of this policy • Notify applicable personnel of the requirements of the policy, procedures and guidelines • Ensure that agreements for seconded staff, agency temps, contractors and consultants contain a requirement on them to comply with this policy
Policy Owner Manager, Culture & Transformation	<ul style="list-style-type: none"> • Develop, consult, seek approval of, and implement policy and aligned processes for the development conduct and integrity guidelines for AT • Guide/approve system development to support policy/process • Administer requirements of policy/process relating to conduct and integrity in conjunction with Risk and Assurance



- Monitoring and updating of this policy, procedure, guidelines and rules

AT reserves the right to review, amend or add to this policy at any time upon reasonable notice to employees and representatives.

Employee/Representative Responsibilities

All employees and representatives are expected to act with the highest standards of honesty, integrity and ethical conduct while on AT business, at off-site locations where AT business is being conducted, at social events or at any other place where AT is being represented.

All employees and representatives must comply with all applicable laws, regulations, policies and processes. Employees are expected to be familiar with the legislative requirements for their particular role in AT, in addition to other AT policies, processes, guidelines and rules.

AT employees or representatives are expected to:

- Give the highest possible standard of service to all customers and make service delivery their main priority.
- Do nothing inside or outside their working hours, where they can be identified as acting on behalf of AT, or voicing opinions which could be perceived as AT's view, which could undermine public confidence in them as AT employees and/or AT.
- Always work in the best interests of AT and the community it serves.
- Do nothing which results in AT (or any other public authority) being denied revenue to which it is entitled.
- Always follow AT policies and procedures and act lawfully and ethically.
- Only make decisions that AT is able to and intends to keep.
- Decline gratuities such as gifts, favours, money, loans, vacations, travel, or accommodation from suppliers or potential suppliers which could be perceived as an inducement (see the AT's Gifts and Inducements Policy).
- Negotiate supply contracts to meet AT's operating and financial requirements and not accept inferior substitute material or equipment solely on the basis that it is commercially or administratively expedient.
- Remain impartial and objective when selecting potential employees, particular suppliers, products or services, using judgement based on the best fit for AT's business needs, ensuring that personal bias does not influence the decision.
- Not undertake activities (including secondary employment) without permission, which could directly or indirectly compromise or negatively affect the performance of their professional responsibilities to AT.
- Not act in a manner which could potentially bring AT into disrepute.

This is not an exhaustive list.

Personal Behaviour

All AT employees or representatives are expected to behave in a socially acceptable manner at all times. This includes but is not limited to:

- Being courteous and professional at all times.
- Complying with AT's specific policies relating to ethics and harassment.



- Ensuring personal hygiene, habits and dress meet the standard required for the job being performed and do not cause offence to others.
- Treating colleagues and the public with courtesy, respect and honesty, and providing timely service.
- Avoiding behaviour which is threatening or offensive (including personally, culturally or sexually offensive behaviour).
- Ensuring that workplace relationships do not adversely affect the performance of official duties.
- Respecting the privacy of individuals when dealing with personal information and maintaining confidentiality.
- Not discriminating against any person because of their gender, age, marital status, colour, race, ethnic or national origins, employment status, family status, sexual orientation, ethnicity, disability, religious, political or ethical belief, or union membership.
- Not harassing, bullying or otherwise intimidating or behaving inappropriately towards any customer or colleague.
- Being respectful of the cultural backgrounds of colleagues and customers.
- Having due regard for the safety of others in the use of work place property and resources.

Breaches of the Code of Conduct

Where a representative commits a breach of the Code of Conduct, AT may immediately terminate the representative's agreement with AT.

In respect of employees, in line with our principles, in determining whether behaviour constitutes a breach of this code, regard will be given to the following factors and any other factors which are relevant and which are appropriate to consider in the circumstances:

- the nature and circumstances of the activity;
 - the position, duties, and responsibility of the individual;
 - the consequences of the activity on the ability of the individual to fulfil his or her duties and responsibilities;
 - the effects of the activity or its consequences on internal or external relationships;
 - the manner in which similar behaviour has been treated by AT under this Code of Conduct; and
 - the effect of the behaviour on AT's trust and confidence in the individual.
- The seriousness and consequences of any breach of the code depends on the circumstances in which it occurs. In the main, breaches will fall under the heading misconduct or serious misconduct, the latter being sufficient to justify summary dismissal. However, depending on an assessment of the facts and the degree of the breach, behaviour listed in the Appendix as misconduct can be treated as serious misconduct, and vice versa.

Conflicts of Interest

Employees and representatives are expected to be familiar with, and comply at all times with, AT's Declaration of Interest Policy. Any breach of that policy will be treated seriously, and may result in disciplinary action being taken against employees (up to and including dismissal), or the termination of a representative's agreement with AT.



Gifts, Inducements and Favours

Employees and representatives are expected to be familiar with, and comply at all times with, AT's Gifts and Inducements Policy. Any breach of that policy will be treated seriously, and may result in disciplinary action being taken against employees (up to and including dismissal), or the termination of a representative's agreement with AT.

Use of AT Technology

Employees and representatives are expected to be familiar with, and comply at all times with, AT's Intellectual Property Policy. Any breach of that policy will be treated seriously, and may result in disciplinary action being taken against employees (up to and including dismissal), or the termination of a representative's agreement with AT.

Confidentiality and Information Security

Employees and representatives may have access to information related to AT which is not known to the public or others within our organisation.

Employees are expected to comply with the obligations of confidentiality set out in their employment agreements with AT. Examples of the types of information that are likely to constitute confidential information may be set out in employees' employment agreements (please note that any examples given are not exhaustive).

Representatives are expected to comply with the obligations of confidentiality set out in their agreements with AT. Examples of the types of information that are likely to constitute confidential information may be set out in representatives' agreements (please note that any examples given are not exhaustive).

Employees and representatives must take proper care with the accessing, use, exchange, storage and release of any information (whether written or electronically recorded), to ensure that it remains secure and confidential at all times and is only used for the intended purpose. Any breach of confidentiality will be treated as potentially serious misconduct.

Each employee or representative of AT is required to be personally responsible for safeguarding AT's information assets, in all its forms (including hard copy or electronic form), from loss, inappropriate modification and disclosure to anyone without appropriate authority to access it.

If you are unsure about what is an information asset, or confidential information, or how to treat a document, piece of information or have a query about information generally, you should refer to the Official Information Policy/Archival Policy and your agreement with AT, and/or seek guidance from your Manager or General Counsel.

Use of AT Property

All employees and representatives are expected to be responsible custodians of AT assets and funds. This means that we take good care of the property or funds that have been entrusted to us.

AT property also means items such as AT fleet vehicles, plant and equipment, documents, business information, customer information, AT manuals and processes, office supplies, taxi chits, HOP cards, cash securities, information systems and technology.



All precautions should be taken to ensure that all material and equipment is safe from theft and damage. AT property must not be loaned, borrowed, sold, disposed of or destroyed without express authorisation from a Group Manager or ELT Member.

Any building access card, PIN, key, alarm code, or access to any other security device must be kept secure and not shared with anyone else.

Misappropriating or failing to take reasonable care of AT property, funds, and supplies may result in disciplinary action being taken against employees, up to and including dismissal, or the termination of a representative's agreement with AT.

Use of Mobile Phones in Auckland Transport Fleet Vehicles

Employees and representatives driving fleet vehicles must not use mobile phones or hands-free devices in the vehicles while the vehicle is in motion or the engine is running. Drivers must be parked in a safe place with the engine switched off when using mobile phones.

Reporting

If any employee or representative believes that the expected standards of conduct or integrity are being contravened, that person should bring it to the attention of their Manager, or an HR representative if that is more appropriate, or if the matter potentially constitutes serious wrongdoing, in accordance with the Protected Disclosures Policy.

Employees should be aware of the types of behaviour that can constitute misconduct and serious misconduct. Non-exhaustive examples of misconduct and serious misconduct are detailed at Appendix 1. Representatives should also be aware that the types of behaviour listed as serious misconduct will also be deemed to constitute a serious breach of a representative's obligations to AT.

Related Documents

- Discipline & Dismissal Policy
- Harassment Policy
- Diversity & Inclusion Policy
- Declaration of Interest Policy
- Gifts and Inducements Policy
- IT policies (including technology usage guideline)
- Delegations Policy
- Protected Disclosures Policy
- Expenditure Policy
- Fraud Policy
- Social Media Guidelines (to be read in conjunction with the IT Policies)

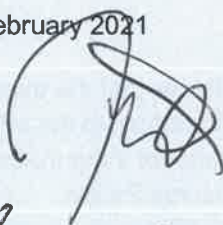
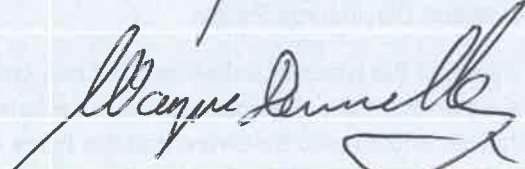
Related Legislation

- Employment Relations Act 2000
- Human Rights Act 1993
- Local Government Act 2002
- Local Government Information and Meetings Act 1987



- Protected Disclosures Act 2000

Approval & Review Details

Owner	Executive General Manager Culture & Transformation
Stakeholders for consultation	Executive Leadership Team Chief Executive Finance, Capital and Risk Committee
Authorised by:	Auckland Transport Board
Issue date	19 November 2019
Next review date	28 February 2021
Shane Ellison (Chief Executive)	
Wayne Donnelly (Board Chairman)	



Appendices

Appendix 1 – Examples of Misconduct and Serious Misconduct

This code specifies the ethical and professional standards expected of AT personnel. To help illustrate these standards the following list provides some examples of behaviours that are not acceptable. This list is not exhaustive. The fact that a certain unsatisfactory behaviour or action is not listed does not mean it is condoned or acceptable.

The seriousness and consequences of any breach of the code depends on the circumstances in which it occurs and the impact of the conduct. In the main, breaches will fall under the heading misconduct or serious misconduct, the latter being sufficient to justify summary dismissal. However, depending on an assessment of the facts and the degree of the breach, behaviour listed as misconduct can be treated as serious misconduct, and vice versa.

Examples of Misconduct:

Any allegations of potential misconduct may be investigated and could result in disciplinary action being taken, up to and including dismissal. Misconduct may include, but is not limited to:

- Failure to comply with, or any breach of AT's policies, procedures and practices.
- Failure to adhere to protocols or internal housekeeping requirements as stipulated by Team Leaders/Managers from time to time.
- Failure to advise (without good reason) as soon as practicable or within two hours of the normal starting time of any lateness or absence for which prior permission has not been obtained.
- Poor timekeeping.
- Failure to be at an assigned workplace during working hours or leaving an assigned workplace without good reason or permission.
- Smoking in a designated non-smoking area.
- Careless, indifferent or negligent (other than gross negligence) performance of duties.
- Refusal to perform a reasonable and lawful request to work or to follow lawful instructions.
- Failure to report any minor accident or personal injury at work or during work time.
- Failure to report minor damage to AT property or damage caused while on AT business.
- Failure to follow required product handling procedures.
- Dress which is inappropriate to the employee's working environment.
- Failure to maintain reasonable standards of grooming and hygiene.
- Being discourteous to other employees, customers, clients or suppliers.
- Disorderly, aggressive or argumentative behaviour.
- Failure to comply with AT's information technology and communication policies, including unauthorised or inappropriate use of e-mail, internet and mobile phones or excessive personal photocopying or printing.
- Disorderly conduct in a public place or personal behaviour outside of work which adversely affects AT in its business dealings or the organisation's reputation.

Examples of Serious Misconduct:

Any allegations of potential serious misconduct may be investigated and could result in disciplinary action being taken, up to and including dismissal. Serious misconduct may include, but is not limited to:

- Failure to comply with, or any breach of, AT's policies, procedures and practices.



- Failure to comply with AT's health and safety policies and procedures including: notification of hazards, reporting of injuries, wearing and use of safety protection equipment or protective clothing, and failing to follow lawful instructions regarding health and safety.
- Any act or omission that causes injury or damage or adversely affects quality or productivity, including irresponsible use of fire or safety equipment.
- Failure to disclose a work-related accident or near miss incident that had significant potential to cause serious harm to any person.
- Taking, selling, distributing, transferring or being in possession of illegal drugs while at work, on AT premises, or when the employee can otherwise be identified as an AT employee.
- The consumption of alcohol on AT premises (including AT vehicles) or client property during and outside of working hours without management consent.
- Being impaired by alcohol and/or drugs while at work or at a work-related function/activity and/or while operating AT work vehicles or equipment regardless of whether the alcohol use occurred at work or off the job.
- Victimisation, intimidation, publishing defamatory statements via public forums, fighting and/or physical assault, harassment (including sexual harassment), bullying or inappropriate language or behaviour towards another person while at work and/or on AT, client, or customer property or at any AT social or public occasion.
- Leaving an assigned work place without authority or due cause where safety or security is then put at risk.
- Accessing confidential information for personal gain or pertaining to the employee's/representatives own personal interest and/or coercing any other AT employee to progress any issue outside of normal AT process.
- Unauthorised possession of firearms/dangerous weapons/ instruments or any other illegal item on AT/client/ customer premise/property.
- Disclosure, destruction or unauthorised use of confidential information or work processes, designs or other material produced or published by AT.
- Conduct (including that outside of normal working hours) that brings (or has the potential to bring) the image or reputation of AT into disrepute.
- Misrepresenting AT or knowingly accepting bribes for personal gain or profit.
- Failure to follow standard cash handling or finance policies and procedures, unauthorised use or handling of funds or AT resources.
- Actions or inaction that puts the operation or security of AT's computer networks at risk.
- Viewing, accessing, downloading, saving, printing and/or forwarding of inappropriate email/internet material such as pornography.
- Unauthorised possession of, use, lending, removal or deliberate damage to the property of AT, other employees, clients or customers.
- Dishonesty including theft, falsification, or being party to falsification of any AT, client or customer document or record.
- Failure to notify possible conflicts of interest, secondary employment, personal or third party relationships which may have an impact on your impartiality, collusion or breaches of confidentiality.
- Non-disclosure of criminal history/convictions as requested on job application forms or falsification or non-disclosure of relevant information on pre-employment information.
- Unauthorised possession, use, lending or removal of, or deliberate damage to the property of AT, other employees, clients or customers.