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A message from the CEO



At Fremantle Ports, we each play an important role in facilitating trade for a more prosperous Western Australia.

As a cornerstone of the Western Australian economy, we must continue to meet the needs of the State, our customers, the community and our colleagues. We take pride in what we do and how we do it.

We all want to work at a place where we are safe, valued, engaged in meaningful work, treated with respect and supported to be our best. We aspire to create a work environment that is held in high regard for its culture and its people.

Our *Code of Conduct* clearly defines the values and expected behaviours for the way we undertake our business, deal with each other, and relate to our customers, the community and other stakeholders. Our Code defines the personal and professional standards to be followed.

It applies to everyone working at Fremantle Ports. We all need to familiarise ourselves with our Code and to act in accordance with its principles at all times.

It's also just as important that we speak up at any point where we believe the Code has not been followed; anyone who feels the Code has been breached should report using one of the available pathways outlined in this document.

Acting consistently with our Code will not only benefit you and our working environment but also ensure that Fremantle Ports is valued by our customers and community. It will also promote a culture of safety, security and integrity aligned with our values.

Please make sure you're clear about what our Code means for you. If you have any doubts, refer to it, and have a conversation with your manager until you are clear.

Jodie Ransom
CEO

May 2024

Overview

Our Code outlines the standards of behaviour we expect from everyone who works for Fremantle Ports, regardless of role or location. Our Code provides a framework for how we work; however, it cannot describe every situation, law, or policy that may apply.

As a foundation, our people must exhibit the highest standard of safety practices, integrity and professionalism in their day-to-day activities. Fremantle Ports promotes a culture in which personal responsibility is valued and we need our people to make decisions in line with our values.

We each need to exercise good judgement in all situations and make decisions that are in line with the spirit of our Code.

We all have a responsibility to ensure a safe, secure and healthy workplace, to uphold the standards within our Code and to demonstrate respect and courtesy to others in the workplace and the Western Australian community. Our reputation is one of our most valuable assets; we need to nurture and protect it.

We are expected to abide by our Code at work and whenever and wherever we may represent Fremantle Ports or can be identified as representing Fremantle Ports. This includes our actions outside of work that may impact upon the business.

Fremantle Ports will hold anyone who breaches the Code accountable for their actions. If you become aware of behaviour that breaches our Code, you should report it as soon as practical. Failure to comply with our Code may result in disciplinary action, including termination of employment.

Who does our *Code of Conduct* apply to?

Our Code applies to everyone working at Fremantle Ports, including:

- all employees
- all agency contractors, consultants, volunteers and service provider employees when working at Fremantle Ports
- Fremantle Ports' Board of Directors.



Our purpose and values

Our purpose provides clarity about why we exist and what we are working together to achieve. Our values set out how we will behave.







Our purpose

Facilitating trade for a more prosperous Western Australia.



Our values

-  **Collaboration**
-  **Accountability**
-  **Respect**
-  **Excellence**

Collaboration, Achieving together: We work together, building trusting relationships, and consider the impact of our actions. We look for ways to contribute to a better future for our people, our communities and the environment.

Accountability, Owning it: No matter where we work, our role or where we are from, we have standards to which we hold ourselves and each other accountable. We strive to make the right choices every time. We do what we say we are going to do and take responsibility for our actions.



Respect, Valuing everyone, always: We value each other and create an environment where everyone's voice is heard and respected.

Excellence, Delivering our best: We strive for excellence in everything we do, to optimise performance and productivity. In doing so, we deliver for our teams, our customers, our organisation and ourselves. We learn from the past while embracing innovation and change.

Operating with integrity

At Fremantle Ports, we operate with integrity. People at all levels of the organisation understand that integrity is a non-negotiable aspect of all conduct and decision making.

In performing our duties, integrity guides all our decisions to ensure that Fremantle Ports is a trusted service provider to customers, the community and our state.

Operating with integrity is everyone's responsibility. Integrity means doing the right thing, even when no one is watching. It includes checking before acting if you're not sure what the right thing to do is. Our Code explains our commitments and our expectations of our people, and others who work with us, to operate with integrity.



Our Code

Our Code is separated into two sections:
how we behave and how we act.

The first section outlines how we maintain the highest standards of professional conduct in our interactions with each other and our stakeholders, including customers and the community.

The second section details how we go about our work in a professional and ethical way to protect Fremantle Ports and deliver value for our shareholders, customers and community.

How we behave

We live our values and protect our good reputation

Our success depends on the application of our values. We need to live these and protect our reputation, resources and business relationships. This applies to our behaviour in the workplace and in all situations where we are representing Fremantle Ports, or associated with or affecting the workplace. This includes work-related events such as conferences, work functions and business trips.

We treat everyone with respect and courtesy

We treat everyone we deal with, including our colleagues, customers, the community and other stakeholders with respect, courtesy, and fairness always, having proper regard for their interests, rights, safety, and welfare. We promote equal opportunity and diversity and do not tolerate harassment, discrimination or bullying, vilification, occupational violence or victimisation on any grounds.

We create a safe, secure and healthy workplace and operate with respect for the natural environment

We take safety, security and the protection of the environment within which we operate seriously. We are guided by our values, the laws and regulations associated with safety, security, environmental protection, and our own policies and procedures. We take care to ensure our and everyone else's safety, health and wellbeing at work, and we ensure we're fit for work every working day. Unsafe work is stopped immediately. Safety, security and environmental incidents are reported and acted on.

We behave ethically, honestly and with integrity

We are ethical and make decisions based firmly upon principles of honesty and integrity. We are accountable for our decisions and actions, putting the organisation's interests before our own or other's interests. This is integral to maintaining the trust and confidence of our people, customers, stakeholders and the community.

We are committed to improving our understanding of the ethical and human rights issues around modern slavery. We consider, assess and manage modern slavery risks through our systems and processes, from procurement to our commercial operations.

We act professionally and impartially

We make decisions fairly, impartially, and promptly, and consider what is in the best interests of the organisation based on all available information, legislation, policies, and procedures. We provide timely, well-considered information and advice, and act with the best intent and diligence.

We comply with all lawful and reasonable directions given by Fremantle Ports

We comply with and follow all lawful and reasonable directions, and do not hinder or obstruct anyone acting in an official capacity in relation to legislation, policy or procedure.

We comply with all laws and regulations, and all Fremantle Ports' policies and procedures

We comply with applicable laws and regulations, and all Fremantle Ports' policies and procedures wherever we operate. Where the Code or a policy sets higher standards of behaviour than local laws, rules, customs or norms, the higher standard will apply. We are accountable for making ourselves aware of these requirements so that we understand and comply with our obligations.

How we act

Ethical decision making and integrity are the foundations of community, stakeholder and employee trust, respect and confidence in Fremantle Ports. These can be lost when we do not act with integrity. Without the foundation of integrity, actions like fraudulent and corrupt behaviour or not declaring and managing conflicts of interest, can undermine our culture and our social licence to operate. It can damage the reputation of Fremantle Ports and our people. Engaging in unethical behaviour may result in disciplinary action, including termination of employment, and may also be considered criminal conduct.

We do not engage in or accept fraudulent, corrupt, or misleading conduct

We do not tolerate unlawful actions, such as fraud, corruption or any other improper conduct by our directors, employees, contractors or consultants.

Fraud is a dishonest activity that causes actual or potential gain or loss to any person or our organisation. Corrupt conduct occurs when our people use or attempt to use their position for the improper benefit of themselves or others, or to cause a detriment to others or to Fremantle Ports.

This means we do not:

- engage in behaviour or conduct that is fraudulent, corrupt, misleading or deceptive
- tolerate or accept behaviour or conduct that is fraudulent, corrupt, misleading or deceptive by others, including the people we work with
- use Fremantle Ports' systems or property to gain or seek an improper benefit for ourselves, the organisation or a third party
- support or deal with any person or business knowingly involved in fraudulent or corrupt practices.

We identify, declare and manage conflicts of interest and register gifts, benefits and hospitality

A conflict of interest is a situation arising from conflict between the performance of your role at Fremantle Ports and your own personal interests. Conflicts may involve personal, financial, or political interest and may be actual, potential or perceived. It is not wrong to have a conflict of interest; what matters is how it is declared and managed. Conflicts of interest become a problem when our people's personal interests influence their decision making at work.

Examples of potential conflicts of interest include, but are not limited to:

- holding a position or being engaged in secondary employment (which may be paid or unpaid) or
- having an interest in a business that is a competitor, supplier, contractor, client or other entity that has any association directly or indirectly with Fremantle Ports or the work of Fremantle Ports.

Receiving gifts, benefits or hospitality from external parties also has the potential to place us in a position where we feel conflicted and are compromised. We may be offered gifts, benefits or hospitality as part of our work but it is not always appropriate to accept. We must avoid situations that create an expectation or obligation between us and the offeror now or in the future.

To protect ourselves and Fremantle Ports, we will take all reasonable steps to identify, declare and manage actual, perceived or potential conflicts of interest in connection with our work and register gifts, benefits and hospitality offered and accepted in line with our policy.

This means we will:

- act honestly and in the best interests of Fremantle Ports
- openly declare personal interests and affiliations that may conflict with or be perceived to conflict with Fremantle Ports' interests
- ensure decisions are accurately recorded so that they are transparent and able to be reviewed
- follow legislated and/or policy requirements for managing actual, potential or perceived conflicts of interest

- refuse any gift, benefit or hospitality that is likely to place you or Fremantle Ports in an actual, potential or perceived conflict of interest situation
- ensure that accepting (or declining) of gifts, benefits or hospitality is in accordance with Fremantle Ports' policy and is appropriately recorded in the Gifts, Benefits and Hospitality Register
- be confident to respond with 'No thanks, it's all in a day's work', when we are unsure of what to do when offered a gift, benefit or hospitality.

We use public resources responsibly

Fremantle Ports is accountable to the Minister for Ports, the Western Australian Government and the people of Western Australia, so our use of resources must be in the public interest and transparent.

Our resources are also an important part of our business. They include our facilities and equipment, vehicles, materials and supplies, computer and telephone networks and money. They also include confidential information, intellectual property: our ideas and know-how, customer and supplier information and market data. Our time is also an important resource and must be accounted for correctly. We are committed to continuously ensuring they are treated with care, responsibility and respect.

This means we will:

- only use Fremantle Ports' resources for business purposes
- take care to prevent waste, loss, damage, misuse or theft of resources
- follow legislated and/or policy requirements for acquiring, using and/or disposal of resources
- report any damage or loss of property or equipment immediately.

We maintain confidentiality and protect information

We are required to maintain confidentiality, protect sensitive information, and respect and protect the privacy of people's personal information. We must not make improper use of information obtained in our duties. We must be careful about how we use and discuss information that may be commercially sensitive, as this puts Fremantle Ports' reputation, and the reputations of our customers, at risk. Confidential, sensitive, and personal information may only be used for authorised purposes and must not be disclosed without appropriate authorisation.

We keep accurate records and use and store information correctly

We are all responsible for creating, managing and storing records appropriately, and we need to take particular care in managing confidential, sensitive and personal information.

Making and maintaining proper records assists with accountability and transparency by demonstrating the basis for decisions and the process we use to make the decision.

Therefore we:

- record actions, decisions and transactions properly to ensure transparency and accuracy
- use the correct information system for the type of information or task
- ensure information, including confidential, sensitive and personal information, is recorded, handled and securely stored in accordance with relevant procedures
- obtain authorisation before altering or destroying records.



We use social media appropriately

We recognise that social media is an important tool for business, and it is increasingly used for work and personal communications. At the same time, we must understand and work within the boundaries that exist between the use of social media for business purposes and personal use, ensuring we:

- comply with relevant policies and procedures related to social media
- do not make comments in a personal capacity that are seen to represent the views of Fremantle Ports where you are identified as working at or for Fremantle Ports
- do not create any interference with our daily duties
- make it clear that our posts are our own views and not those of Fremantle Ports.

Expectations of our leaders

We have high expectations of performance and conduct of all our people, but we have the highest expectations of our leaders. We expect our leaders to always:

- model behaviours consistent with our Code, values, and safety practices
- create a respectful, courteous and professional work environment that embodies our values and Code
- make ethical and transparent decisions consistent with our Code
- encourage our people to communicate openly and address concerns
- hold people accountable, regardless of position or seniority
- act in a timely manner to address any concern or breach of the Code.

Breaches of the Code

We take breaches of the Code, our policies and procedures, employment agreements and any other laws or regulations that apply, seriously. Fremantle Ports aims to ensure that concerns about our people's conduct are addressed, with the aim of improving conduct so that it meets our expectations. Our people will be treated fairly and equitably in the process.

Depending on the circumstances, action to improve our people's conduct may include education, training, coaching or performance management. Breaches may also result in disciplinary action, including termination of employment.

If you breach the Code or act unlawfully, we may be required to report the incident to the Public Sector Commission, the Corruption and Crime Commission, the WA Police or another appropriate authority.

We support anyone raising concerns regarding a breach. The reporting of concerns or alleged breaches must be reasonable. There is no requirement to have all the facts to prove the wrong-doing but the report must be based on the reasonable likelihood of a breach having occurred. Reports that are found to be vexatious or frivolous may constitute a breach of the Code. Reports may be made anonymously using the [feedback portal](#) on our website; however, you will not be able to receive updates in relation to your report.

Fremantle Ports will manage concerns and disclosures confidentially and impartially and will provide those who report with support and protection from reprisal. Reporters must manage information confidentially and, once a report is made, take no further action unless advised by the relevant officer managing the alleged breach.

How to report known or suspected breaches of the Code

If you are aware that someone is not behaving or acting in accordance with the Code, your reporting options are outlined below.

If the concern is related to suspected:

Behaviour, act or omission that is deliberate, negligent or reckless and which breaches Fremantle Ports' policies, standards or guidelines, the employee's contractual or legislative requirements, or is otherwise unacceptable workplace behaviour

For example:

- bullying
- harassment
- discrimination
- general grievances
- wilful disregard of corporate policies/procedures.

**People and Culture
or
a manager**

If the concern is related to suspected:

Breaches of integrity or/and wrongdoing such as dishonest, unethical, corrupt or deceptive behaviour.

For example:

- fraud or corruption
- theft
- abuse of power
- conflict of interest.

**Governance and Assurance
or
General Counsel
or
People and Culture
or
a manager**

If the concern is related to:

The *Public Interest Disclosure Act 2003*, which is intended to facilitate the disclosure of public interest information and provide protection for those who make or are the subject of disclosures.

Before making a public interest disclosure (PID), seek information on the process for reporting under the PID Act. It is important that you follow and understand the specific process and your obligations, to ensure confidentiality and protection for yourself as the discloser. Refer to the PID Policy and seek confidential advice from a PID officer or the Public Sector Commission.

**Fremantle Ports PID Officers
(See Lighthouse)
or
the Public Sector Commission**

In addition to the internal avenues, you may report your concerns to these external organisations.

For **minor misconduct** (as defined in the *Corruption, Crime and Misconduct Act 2003*):

Public Sector Commission

For **serious misconduct** (as defined in the *Corruption, Crime and Misconduct Act 2003*):

Corruption and Crime Commission

Putting our Code into practice

From time to time we may face decisions or situations where we are not sure about the right thing to do. If you are not sure what to do when making a decision, please speak with a manager or other appropriate person.

Is it legal?

Does it comply with the Code?

Is this in Fremantle Ports' best interests?

What would your family, colleagues or manager say about your decision?

Ask yourself these questions...

How would you feel if your decision was reported in the media?

Would you be confident explaining your actions to senior management or external authorities?

How would your behaviour be viewed in 1 or 5 years from now?

Would you be happy if you were treated this way?

Review

The Code is reviewed every three years. Regularly reviewing and updating the Code ensures it continues to address current and emerging conduct risks. The Code may not require an update with every review.

Further information, advice and support

For any further information on our Code (including policies and procedures), speak to your manager or members of the People and Culture or Risk and Governance teams. Fremantle Ports' policies can be accessed in Records container STR.166 and STR.165 for procedures.

Relevant policies and procedures

- Workplace Harassment, Discrimination and Bullying
- Alcohol and Other Drugs
- Conflict of Interest
- Gifts, Benefits and Hospitality
- Public Interest Disclosure
- Grievance Management
- Investigations
- Discipline
- Hospitality and Functions
- Acceptable Use of ICT/OT
- Information Management
- Social Media
- Security





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