



Economic Regulation Authority

# Code of Conduct

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The *ERA Code of Conduct* sets out the ways in which staff are required to behave individually, with colleagues, and with our stakeholders.

The Code applies to all ERA staff and contractors, whether you are full time, part time, permanent, temporary or casual.



As a public sector agency, we have a responsibility to act transparently and efficiently, for the benefit of the Western Australian community. As an independent authority, we have a special, additional responsibility to ensure our decisions are robust, rigorous and impartial.

All staff are expected to understand the ERA's Code and the Public Sector Code of Ethics, and to act in a manner consistent with both.

You are welcome to approach me at any time with your concerns, or with suggestions for how we make our workplace more safe, happy and inclusive.

**Jenness Gardner**

Chief Executive Officer

## **1. Personal behaviour**

**We behave with integrity in all personal conduct and treat others with respect.**

**This means we:**

- Treat everyone with respect, courtesy, honesty and fairness.
- Consider others' interests, rights, safety and welfare.
- Do not harass, bully or discriminate against colleagues, stakeholders or members of the public.
- Maintain and contribute to a diverse, harmonious and safe work environment.
- Do not engage in activities or behaviours that have a negative impact on the ERA's reputation, work or productivity, including inappropriate use of social media.
- Do not favour one interested party over another when doing our work.

## **2. Use of confidential information**

**We use confidential information gained in the course of our employment only for authorised purposes.**

**This means that we:**

- Do not disclose official information or documents, other than as required by law or with proper authorisation.
- Do not misuse confidential information for personal or confidential gain, for either our associates or ourselves.
- Follow the confidentiality provisions of the *Economic Regulation Authority Act 2003*.
- Adhere to all policies and lawful directions regarding communication with Ministers, ministerial staff, lobbyists, media and members of the public.

## **3. Fraudulent and corrupt behaviour**

**We act ethically and do not engage in fraudulent or corrupt behaviour.**

**This means that we:**

- Act with integrity in the performance of our official duties.
- Do not engage in any dishonest activity that may cause actual or potential loss to any person or entity.
- Do not misuse our position for personal advantage or the advantage of others.
- Are not improperly influenced and do not improperly influence others.

- Report suspected fraud, corruption or misconduct as soon as it is identified to an appropriate person or organisation.

## **4. Use of public resources**

**We use the resources of the ERA in a responsible and accountable manner.**

**This means that we:**

- Use public resources diligently and efficiently, including office facilities and equipment, vehicles and corporate credit cards.
- Are accountable for any expenditure incurred, including the purchase of goods and services, hospitality and travel.
- Do not use public resources for political work or private financial gain.

## **5. Recordkeeping and use of information**

**We ensure that information is managed to a high standard as per the recordkeeping plan.**

**This means that we:**

- Ensure that any document that becomes part of the public record is retained in accordance with statutory requirements and accessible in accordance with the requirements of the *Freedom of Information Act 1992*
- Ensure that appropriate records of all actions and decisions are maintained within the ERA.
- Only use ERA information for its intended purpose.
- Ensure the secure storage of sensitive or confidential information, in both paper and electronic form.
- Do not falsify, destroy, alter or damage public records, or back-date information.

## **6. Conflicts of interests, and Gifts and benefits**

**We ensure that our private interests do not conflict, or appear to conflict, with our professional duties.**

**This means that we:**

- Declare actual, perceived or potential conflicts of interest that may arise between the performance of our public duty and private or personal interests, including: the holding of shares, business interests, family relationships, friendships, and sponsorship.
- Adhere to any plan put in place to manage the conflict of interest.

- Do not demand any reward or gratuity in the course of our work or accept any gifts other than in accordance with ERA policy.
- Declare any offer or receipt of gifts and benefits on the gift register, as per the Reporting Gifts Guidelines.
- Do not undertake any secondary or external employment without written approval, in accordance with ERA policy.

## **7. Reporting suspected breaches of this Code**

### **We report suspected or potential breaches of this Code.**

**This means that we:**

- Are obliged to make ourselves familiar with this Code.
- Are aware of the avenues for reporting a breach of the Code, including options available under the *Public Interest Disclosure Act 2003*.
- Report, as soon as reasonably practicable, any actual or suspected breaches of this Code.
- Cooperate in any investigations or inquiries of possible breaches.
- Keep confidential matters under inquiry or investigation.
- Do not victimise, threaten, intimidate, coerce or take reprisal against an employee who has disclosed or intends to disclose unethical or unlawful behaviour.
- Do not obstruct or hinder an ERA inquiry or investigation into possible breaches of this Code.
- Are aware that managers will be held accountable not only for their own business conduct, but also that of their employees.

### **Where to go if you have a concern**

If you would like more information, you can read other ERA policies including the grievance procedure, equal employment opportunity policy and others on the intranet.

You can also speak to:

- Your manager.
- The Human Resources team.
- The grievance officer.
- The public interest disclosure officer.
- Your union representative.
- Our employee assistance program.
- Any corporate executive member including the Chief Executive Officer.

To find out who occupies any of the positions listed above, you can consult the Phonebook on the intranet.

If you have concerns that you do not believe can be addressed internally, you are able to directly approach the Public Sector Commission or Corruption and Crime Commission for advice and assistance.

## **Breaches of the Code**

Failure to comply with the Code is a serious matter that will be addressed and may lead to disciplinary action, up to including termination of employment.

If the ERA is satisfied that a breach has occurred, the relevant management will determine the nature of any disciplinary action. This may be done in consultation with other sources of advice (for example, Human Resources or the State Solicitor's Office).

The nature of the disciplinary action will depend on the seriousness of the breach. If the situation involves breaking any laws, the matter may also be referred to law enforcement authorities for investigation.