

RTO	City-Wide Building & Training Services Pty Ltd (RTO ID 91138 )
Type	Internal
Applicable Standards	Standards for Registered Training Organisations 2015 State and Territory Funding Contracts
Authorised by	General Manager, Quality and Compliance
Effective date	11 January 2023
Version	V1.4

## Policy: Code of Conduct

---

### Overview

City-Wide Building & Training Services Pty Ltd (CWBT S) has a *Code of Conduct* that all Staff (including Trainers and Assessors) are expected to comply with. For the purposes of this Policy, 'Students' refers to current, past and prospective Students. 'Employers' refers to current, past and prospective Employers who will engage (or have engaged) CWBT S to provide training to their Staff. Staff refers to all Staff including those on a contract, casual and Trainers and Assessors.

Staff must:

- Behave honestly and with integrity at all times
- Meet public expectations of ethical behaviour at all times
- Act with care and diligence at all times
- Comply with all applicable Australian Laws, Standards, Contracts as well as CWBT S Policies and Procedures
- Comply with any standing orders and with any lawful and reasonable direction given by a person having authority to give the direction
- Use CWBT S official resources in a proper manner
- Not make improper use of information gained in the course of their engagement, or their duties, status, power, or authority
- Participate in both internal and external Audits when requested

Staff must not:

- Knowingly provide false or misleading information to Clients (including, Students, Employers, prospective Students and other third parties)
- Offer unauthorised incentives or inducements to Students and / or Employers
- Misrepresent CWBT S in any way
- Make negative statements or disparaging remarks about CWBT S, Builders Academy Australia (BAA), UP Education, ASQA, State and Territory Funding Bodies, other Government Education Departments in public, to the Media or in Social Media (such as LinkedIn, Facebook, Instagram, etc.)
- Provide financial advice



## Ethical Standards

The conduct of all CWBTS Staff has a direct influence upon our reputation. It is vital that the conduct of each employee is at all times to the highest standard. All Staff must adhere to fundamental ethical practices and principles.

Staff must avoid the following situations where possible:

- Holding a substantial financial interest in any company with whom we have business dealings (e.g., Competitors, Suppliers and Clients).
- The acceptance by a representative from any party or supplier of services, either directly or indirectly, of cash payments (other than reimbursements for reasonable out-of-pocket expenses), services, loans (except from banks or other financial institutions) or discounts (except those offered to all Staff of the company).
- Accepting any gifts of monetary value or of an expensive nature (over \$250 in non-monetary value) from any business party involved with CWBTS, Builders Academy Australia (BAA), UP Education, over the course of the business relationship.

Problems arising through these situations can usually be avoided by conducting any business transactions in an ethical and honest manner. If you are in a situation, which you believe that you may have a conflict of interest, it is necessary to discuss the matter immediately with your CWBTS Manager.

## Incentives and Inducements

CWBTS Staff – regardless of their role – are strictly prohibited from offering incentives or inducements to:

1. Induce prospective Students into enrolling
2. Encourage Employers to enrol their Staff into courses with us
3. Incentivise Students to complete assessments or attend classes
4. Encourage Staff and third parties to enrol Students that would not otherwise enrol
5. Influence the outcome of internal or external Student or Employer surveys
6. Influence the outcomes of Trainer and Assessor internal or external surveys
7. Other purposes not listed above

Incentives and inducements include, but are not limited to, offers of:

1. Cash
2. Discounts
3. Free or discounted devices and tools (such as Laptops, iPads, Smart Phones, Drills, etc.)
4. Free or discounted services
5. Employment with CWBTS, BAA, UP Education, their Trainer (where they own their own business) or other related entities



## Australian Apprenticeships Incentives Program (AAIP)

CWBTS Staff will refer all enquiries regarding the AAIP from Students and Employers to an Australian Apprenticeships Support Network (AASN) Provider for accurate and specific client advice.

CWBTS Staff will not provide tax advice regarding AAIP incentives.

Note: From 1 July 2020, the AAIP will be replaced with a new, simplified and streamlined incentives program for Employers of Apprentices and Trainees, the **Incentives for Australian Apprenticeships (IAA)**.

## Financial Advice

CWBTS Staff must not provide Students or Employers with financial advice even if they are qualified Financial Advisors. Any Student or Employer seeking advice, should be referred to their personal or company Financial Advisor.

Financial Advice constitutes:

- Recommendations about which payment method is best for the Student or Employer where a choice is offered
- Recommendations about how to repay Government Student Loans
- Advice or speculation about tax repayments
- Other advice or recommendations that a person may make a financial decision about

Financial Advice does not constitute:

- Factual Information (such as tax rates, or loan repayment rates)
- Information for Funding eligibility or Student Loan eligibility
- Discussion of available payment options
- Charges and Fees (including eligibility for Concession charges)
- Costs of Tuition Fees, Non-Tuition Fees and other associated costs

## Negative Statements and Disparaging Remarks

Staff must not make any negative statements or disparaging remarks in public about:

1. CWBTS, CWBTS Management and Staff
2. UP Education and any entity that falls within the group
3. Builders Academy Australia (BAA), BAA Management and Staff
4. ASQA and other Regulatory bodies
5. Key Government Education Departments (including Funding bodies)
6. Employers and other Clients associated with CWBTS, UP Education and BAA
7. Australian Apprenticeships Support Network (AASN) Providers
8. State and Territory Licensing and Registration Bodies applicable to our courses
9. Other Bodies as relevant
10. To the Media or in Social Media (such as LinkedIn, Facebook, Instagram, etc.)

'Public' means:

1. In the media (print, radio or television)
2. Social media (i.e., Facebook, Instagram, LinkedIn, Google etc.)
3. Comments made to competitors, journalists or other unauthorised persons
4. Comments made to Students, Employers or other clients of CWBTS

## Anti-Competitive Statements

Staff are prohibited from making any public anti-competitive statements about organisations that provide similar and products and services to CWBTS, BAA or UP Education.

## Specific Requirements in Client Service Provision

CWBTS Staff must provide accurate and timely client advice at all times. A broad range of training and professional development activities are provided to all team members to ensure that they have the knowledge, relevant to their work role, to provide accurate advice. At all times team members should refer enquiries to CWBTS Management if the advice requested is outside their scope of knowledge and/or work role.

CWBTS Staff must meet the following requirements where relevant to their role:

- Potential forms of conflicts of interest are identified and referred if appropriate to Management
- The rights of client(s) are protected during and after course services provision
- Confidentiality is stringently maintained regarding all client information

## Consequences of Breaching this Policy

Any CWBTS representative suspected or found to be engaging in a breach of any of the above activities will be the subject of full internal and/or external investigations and may have their engagement suspended pending investigation. If the misconduct is upheld, this may lead to termination.

Misconduct may result in disciplinary action from a written warning to termination, depending on the severity of the offence. Any disciplinary action will be recorded in Staff files and will be taken into consideration when reviewing opportunities for advancement within the Company.

Below is a list of some violations or events that can result in disciplinary action, but it should not be considered all-inclusive. Management has the discretion to review this list or its interpretation:

- Removing or misplacing CWBTS property or equipment, client records, or company documentation without prior approval
- Failure to observe the principles noted in CWBTS's *Code of Conduct*
- Any violation of a CWBTS policy or procedure
- Falsification or misrepresentation of qualifications or experience
- Destroying or damaging CWBTS's property including any Student or Employer records
- Withholding records belonging to CWBTS – this includes enrolment application forms, hard copy attendance sheets and hard copy 'paper based' assessments
- Failure to follow the rules and responsibilities as outlined by CWBTS management
- Non-compliance with HR policies and procedures

CWBTS expects all Staff to follow any Policies and Procedures as outlined. CWBTS's goal is to create a fair and efficient environment for all Staff.

## Disciplinary Action

Where disciplinary action becomes necessary the following procedures will take place:

- **Stage 1:** Discussion and Verbal Warning - This is a verbal conversation where an individual and their immediate Manager will discuss the events/incidents. This will result in recommendations for improvements, together with an action or training plan with timelines where appropriate.
- **Stage 2:** First Written Warning - If there is no significant improvement in performance as agreed in Stage 1, or another incident takes place, the Manager will issue a written warning. Staff have the right to discuss this document and comment in writing. If the individual wishes to discuss the matter, the conversation may take place in the presence of a witness. Documents related to the matter will be placed on the Staff file.
- **Stage 3:** Second Written Warning - This is a final warning issued if there is no marked improvement. The Manager will complete the written warning where practical in the individual's presence, detailing the reasons. A copy will be placed on the Staff file.
- **Stage 4:** Termination: If the disciplinary review process fails, employment will be terminated. Where the incident or conduct has been unacceptable and of serious nature, immediate dismissal will take place. Documents of reason and action taken will be placed on Staff file.

When undergoing disciplinary action, an individual may have someone of their preference present in disciplinary process meetings to act as a witness only. This person would generally be another Builders Academy Australia representative or a union representative.

## Reporting unethical or dishonest conduct

Where it is determined that unethical, reckless, illegal, or dishonest conduct in regard to vocational education and training has occurred, the CEO of CWBTS will notify by email the Department of Education through Training Services NSW.

## Declaration and Verification

All Staff (including Trainers and Assessors) are required to adhere to this Code of Conduct Policy by signing the below declaration which will then be placed into the individual Staffs' file.

Staff to complete	
I, .....declare that I have read and understood the requirements outlined in this Code of Conduct Policy. I understand that I am required to meet and oblige the compliance needs under this Code of Conduct Policy. I understand that if I do not adhere to this policy then I may face disciplinary action which may result in the cancellation of my contract with CWBTS.	
Signature & Date	