



Karlka  
Nyiyaparli  
Aboriginal Corporation RNTBC

Community Culture Commerce

# Code of Conduct

The KNAC Code of Conduct was formally approved by  
the KNAC Board on the 1st November 2023

The Code of Conduct sets out the standards of behaviour that are expected by certain persons connected with Karlka Nyiyaparli Aboriginal Corporation RNTBC (KNAC).

All Directors, committee members, members, employees, volunteers and contractors of KNAC and its Subsidiary Companies must comply with the Code of Conduct.

***This is a Summary of the Code of Conduct.***

# The Code of Conduct

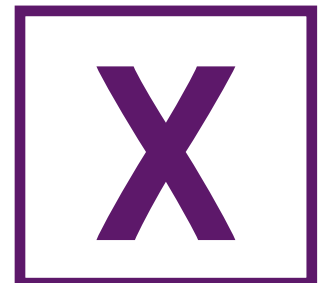
requires people to:



- Treat everyone with respect and courtesy.
- Be honest and do the right thing for KNAC.
- Take care of property and ensure that meetings are respectful and safe for everybody.
- Follow KNAC's rules (KNAC's Rule Book, policies and procedures) and the laws that apply to KNAC.

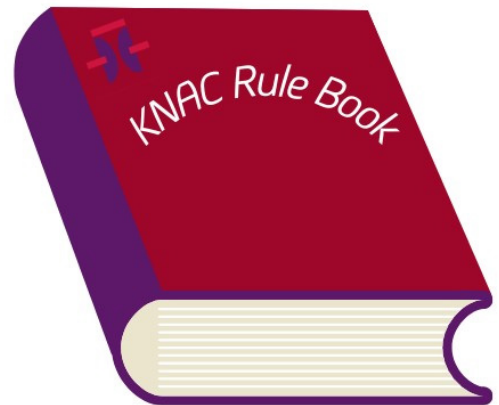
Possible consequences for breaching the Code of Conduct include:

- Receiving a formal written warning.
- Removal from a KNAC meeting.
- Being required to attend specified training.
- Being asked to step down from a position (e.g. a committee position).
- Removal from a position (e.g. a committee position), and being prohibited from holding a similar position for a period of time.
- Being restricted from contacting KNAC staff or Directors.
- Being reported to external authorities (e.g. the police, ORIC).
- Being suspended from KNAC's heritage services workforce for a period.
- Not receiving sitting fees or other KNAC payments for a period.
- Being removed as a Director or member of KNAC in accordance with the Rule Book.



# The Background

Karlka Nyiyaparli Aboriginal Corporation RNTBC (KNAC) has adopted a Rule Book that imposes a number of obligations and responsibilities on members and Directors. The Rule Book is a contract between KNAC, its members and Directors.



Members' responsibilities are listed in

## **Rule 6.2.2**

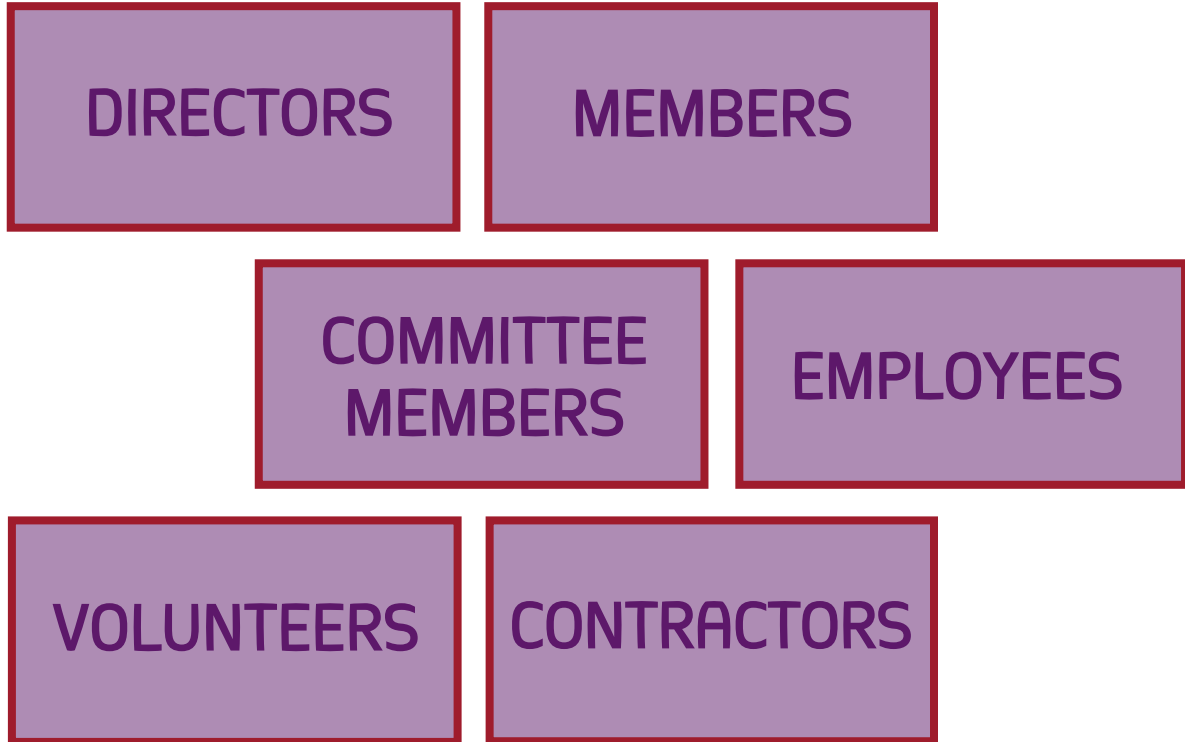
of the Rule Book and include the responsibility to:

- comply with any code of conduct adopted by KNAC;
- treat other members and the Directors with respect and dignity;
- not behave in a way that significantly interferes with the operation of KNAC or KNAC's meetings;
- comply with the CATSI Act and the Rule Book;
- notify KNAC of any change of address within 28 days;
- not make improper use of information or opportunities received because of their positions as members or Directors; and
- not make any public statement on behalf of KNAC unless authorised by the Directors.

The Code sets out the standards of behaviour that are expected of KNAC's members and Directors (and other people that are connected with KNAC), and the process that will be followed if there is a complaint that someone hasn't behaved in accordance with the Code.

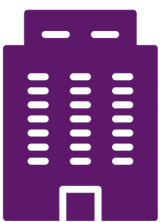
# Who does the Code of Conduct apply to?

The Code applies to all of the following individuals of KNAC and its Subsidiary Companies:



The Code must be followed at all times when undertaking KNAC business or participating in activities and events that relate to KNAC.

This includes, for example:



Being present at KNAC's premises, including its offices or meeting rooms.



When attending KNAC meetings or events.



Making comments publicly about KNAC, online or in person.



When representing KNAC in any capacity.

# What is expected of members under the Code?

## Respect for others



- I will treat everyone with respect and courtesy.
- I will respect other people's beliefs, values, ideas and privacy.

## Honesty and Integrity

- I will be honest and do the right thing for KNAC.
- I will be fair and not take sides when dealing with other people or making decisions.



## Respect for Property, Equipment and Environment



- I will take care of property and do my part to make sure that the workplace or meeting place is safe for everyone.

## Follow the Rules and the Law

- I will follow KNAC's rules (in the Rule Book, as well as policies and procedures) and the law that apply to KNAC.
- I acknowledge that I am responsible and accountable for my own actions.



# What happens if someone breaches the Code of Conduct?

## During KNAC meetings

The person chairing or facilitating a meeting may decide that a person has failed to act in accordance with the standards of behaviour or the meeting guide.

Where this happens, the person chairing or facilitating the meeting may:



give that person a *formal warning* (or multiple warnings);

*remove that person from the meeting*; and

where the conduct is considered a threat to any other person, *lodge a complaint with the police*.

## Outside KNAC meetings

If a person thinks that someone has failed to act in accordance with the standards of behaviour or the meeting guide, they should complete a Complaint Form and lodge it with KNAC.

Once KNAC receives a Complaint Form:

1

The CEO will undertake an initial review of the Complaint and decide what process, as set out in the Code, will need to be followed;

2

If an investigation is required, the CEO will arrange for one to be conducted to uncover the facts and decide if the Code was breached;

3

If it's found that the Code was breached, the Board will decide what disciplinary action, if any, will be taken.

# What are the consequences of breaching the Code of Conduct?

If a person is found to have breached the Code, the Board will decide what disciplinary action, if any, will be taken.

The types of disciplinary action will depend on the nature of the breach and the circumstances of the person, and may include one or more of the following:

Formal written warnings

Removal from a KNAC meeting

Requirement to attend specific training

A request for the person to step down from their position

Formal removal from their position

"Non-contact" period, where a person is restricted from contacting KNAC staff or Directors

Notification to external authorities (e.g. Police, ACNC or ORIC)

Suspension from KNAC's heritage services workforce for a period of time

Suspension of sitting fees or other KNAC payments

Removal as a Director or member of KNAC in accordance with the Rule Book

# Supplemental Information

The following pages includes some additional information to help readers understand how the Code of Conduct works in practice.

It includes:

The STANDARDS OF BEHAVIOUR that are expected of KNAC's members and Directors (and other people that are connected with KNAC)

*A full version of the Code of Conduct can be found at the KNAC website, [www.karlka.com.au](http://www.karlka.com.au), in the Key Document Section*

A MEETING GUIDE explaining what is expected of attendees at a meeting, event or function run by KNAC

Three CASE STUDIES of examples of how the Code of Conduct would work in certain situations

*The Complaints Form can be found on the KNAC website and on request from our KNAC Offices*

The PROCESS that is undertaken when a complaint that someone hasn't behaved in accordance with the Code is made.



# Standards of behaviour

The following standards of behaviour apply to all Directors, committee members, members, employees, volunteers and contractors of KNAC.

**Respect for Others** *I will treat everyone with respect and courtesy. I will respect other people's values, beliefs, ideas and privacy.*



- Treat others fairly.
- Respect Nyiyaparli law and custom, and its relationship with the Nyiyaparli People.
- Treat others how you would like to be treated.
- Be polite, listen and respect other people's points of view.
- Act professionally, and in the best interests of KNAC (i.e. in a way that upholds KNAC's reputation and helps KNAC to achieve its objectives for members)



- Do not bully or fight with others.
- Do not discriminate, victimise or harass a person based on their race, colour, religion, national origin, gender, age, marital status, disability, sexual identity, pregnancy.
- Do not let personal relationships or views impact on your professional conduct.
- Do not use social media or other public platforms to raise concerns or make complaints about KNAC or to make negative or insulting comments about people doing their job with KNAC - feedback about KNAC, KNAC's activities and people that work with KNAC should be given to the CEO or Chairperson in writing.

**Honesty and Integrity** *I will be honest and do the right thing for KNAC. I will be fair and not take sides when dealing with other people or making decisions.*



- Be honest and trustworthy.
- Act ethically, fairly and do the right thing.
- Act in a way that maintains KNAC's reputation.
- Demonstrate the leadership behaviours that are taught in KNAC programs.
- Respect the privacy of others.






- Do not use your position to obtain a private benefit for yourself, your family or friends.
- Do not access personal information about someone unless it is necessary for your work and you have permission to do so.




## Respect for Property, Equipment and Environment

*I will take care of property and do my part to make sure that the workplace or meeting place is safe for everybody.*




### Information

-  Take care with information that is confidential.
-  Do not share confidential information with anyone unless you are authorised to do so.
-  Do not speak to newspaper outlets or reporters, television outlets or reporters or other media outlets or reporters about KNAC business or KNAC matters unless you are authorised by the Board or its delegate to do so.




### Money

-  Only use KNAC money for proper purposes that have been approved.
-  Keep records and receipts of all KNAC money that's used.
-  Do not spend KNAC's money for your personal use or for your family or friends



### Equipment and Property

-  Take care of KNAC's equipment and property.
-  Do not use equipment or property for your own personal use, or allow family or friends to use equipment or property, unless you are authorised to do so.
-  Do not sell, lend or donate equipment and property unless you are authorised to do so.

### Computers and Electronic Devices







-  Use computers and other electronic devices appropriately.
-  Do not share passwords with any person or use a password that is not yours.
-  Do not store or send inappropriate messages or pictures such as pornographic, illegal, racist or violent files using KNAC equipment.

### Environment

-  Follow health and safety work policies and practices.
-  Immediately report any hazards or workplace injuries.

## Follow the Rules and the Law

*I will follow KNAC's rules (in the Rule Book, as well as policies and procedures) and the laws that apply to KNAC. I acknowledge that I am responsible and accountable for my own actions.*

-  Respect all Nyiyaparli traditional laws and customs.
-  Comply with all laws, policies, procedures, rules and contracts that apply to you.
-  Follow all lawful and reasonable directions.
-  Undertake training that increases your ability to fulfil your responsibilities and role with KNAC, including governance training or cross-cultural awareness training.
-  Immediately report any breaches of the law, Rule Book, policies and the Code to the CEO or Chairperson.
-  Do not participate in illegal activity.

# Meeting Guide

## This Meeting Guide:

- applies at every meeting, event or function run by KNAC
- applies to every person that attends the meeting, event or function.
- sets out the standards of behaviour that are expected when attending any external meeting, event or function as a representative of KNAC.

## Be Respectful

- Respect KNAC's governance and the discussions that take place at a meeting.
- Respect the facilitator or chair as the person who is in charge of the meeting.
- Treat others fairly and with respect, by:
  - listening to others and letting them have their say;
  - focussing on the issue, and not on the person;
  - not interrupting others; and
  - not making personal attacks on others.
- Wait to be recognised by the facilitator or chair before speaking to the meeting.
- Switch off or put on silent all mobile phones and electronic devices.
- Enter and exit the meeting quietly while it is in progress.



## Be Open and Curious

- Respect that people have different opinions.
- Ask questions to understand what is being discussed or what the speaker is saying.
- Remember that people have different ways of speaking and that English is not always a person's first language.

## Keep to Meeting Business

- Read all papers and minutes before attending the meeting.
- Keep to the agenda.
- Only discuss things that aren't on the agenda during "Any other business".
- Do not raise personal matters which are not the proper business of meeting.



## No Offensive Behaviour



- Do not fight at meetings.
- Do not bully others at meetings. This includes being abusive, threatening or intimidating.
- Do not make racist or sexist remarks at a meeting.
- Do not bring drugs or alcohol into a meeting.
- Do not enter a meeting if you are under the influence of drugs or alcohol.

## Keep meeting business private

- Keep information discussed at meetings confidential.
- Only share information with other people who are entitled to the information.



The following case studies are examples of behaviour that may fall within the scope of the Code of Conduct.

## *Example 1 - Disruptions at a Meeting*

During a community workshop run by KNAC in South Hedland, Bob who is a member of KNAC and Gene, who is not a member of KNAC were having a noisy argument.

The facilitator stopped the workshop and asked Bob and Gene to observe the Meeting Guide and wait to be recognised by the meeting before speaking.

Bob responded by shouting abusive language at the facilitator and he and Gene continued their argument, stopping the workshop from continuing.

### *Does the Code apply to the people that were involved in the incident?*

Bob is a member of KNAC. He must comply with the Code.

Gene is not a member of KNAC. He is not generally required to comply with the Code. However, as Gene is an attendee at a KNAC event, he must comply with the Code insofar as it comprises the Meeting Guide.

### *Did the incident happen at a meeting, event or function connected to KNAC?*

Yes, the workshop was being run by KNAC.

### *Does the behaviour meet the standards set out in the Code?*

No. The Meeting Guide requires participants to:

- wait to be recognised by the facilitator before speaking to the meeting; and
- not fight at meeting, or bully others at meetings by being abusive, threatening or intimidating.

### *What will the consequences be?*

The facilitator may give Bob and Gene another warning that their behaviour is unacceptable.

If the behaviour continues, the facilitator can ask for Bob and Gene to be removed from the workshop. The facilitator has a duty of care to the other participants at the workshop and in serious circumstances, may call security or police to ensure that the attendees at the workshop stay safe. If the behaviour becomes threatening or dangerous to those in attendance, the facilitator may need to close the workshop.

The facilitator may also make a complaint to KNAC about the conduct. The CEO, as the Delegate under the Code and the Board will then follow the processes in the Code of Conduct to determine if further disciplinary action will be taken against Bob. This may lead to Bob being issued a formal warning, or the matter being reported to ORIC.

Gene will not be subject to further disciplinary action under the Code as he is not a member of KNAC. KNAC may choose to restrict Gene's access to our meetings based on his behaviour or report it to authorities.

## Example 2 - Rude and Insulting Behaviour

Bridget and Lola have been appointed as Directors of KNAC.

At the last board meeting, Bridget supported an application for KNAC membership from a member of her family. Lola argued against the application stating that the applicant was not eligible. The discussion developed into a small verbal argument. The chairperson suspended that agenda item pending further evidence of eligibility. There was no further discussion of the matter during the meeting.

After the meeting Lola sent several rude and threatening emails and text messages to Bridget and posted derogatory comments on her personal Facebook page. The comments did not make reference to KNAC or Bridget's role as a Director or member of KNAC. Bridget wants action to be taken against Lola.

*Does the Code apply to the people that were involved in the incident?*

Bridget and Lola are Directors of KNAC. They must comply with the Code.

*Did the incident happen at a meeting, event or function connected to KNAC?*

No. The disagreement occurred during a Board meeting, however, this was managed by the chairperson at the time. There is no suggestion that the disagreement during the meeting was rude or threatening. The rude and threatening behaviour occurred outside of KNAC activities.

*Does the behaviour meet the standards set out in the Code?*

Yes. The behaviour during the meeting met the Code.

In terms of the subsequent behaviour by Lola, as this behaviour did not occur at a KNAC meeting or event and did not directly involve KNAC or include any reference to KNAC, it is unlikely that the behaviour breached the Code.

*What will the consequences be?*

The CEO, as the Delegate under the Code, will review the complaint and do an initial assessment to determine if the complaint falls within the scope of the Code.

As outlined above, it is unlikely that any breach of the Code occurred such that the CEO will likely dismiss the complaint and KNAC will write to Bridget and let her know this.

### Alternate scenario

*If Lola's comments on Facebook mentioned KNAC, Bridget's role as a Director of KNAC, the member application being considered or anything else directly related to KNAC, then the behaviour would fall within the scope of the Code as it breaches the Standards of Behaviour.*

*Bridget would be able to use the processes set out in the Code to lodge a Complaint in respect of Lola's conduct. KNAC would then follow the processes in the Code to consider the Complaint, investigate the conduct and make a decision.*

*If, following the process required under the Code, it is found that Lola breached the Code, the Board would decide what disciplinary action would be taken against Lola. If this is the first time that Lola has complained on social media about KNAC, its people or its activities, the Board may decide to take disciplinary action against Lola (for example, issue Lola a formal written warning and require her to attend specific training).*

## *Example 3 - Intimidation of KNAC Employee by a Director*

Jimmy is a newly appointed Director of the KNAC Board. He has received a director induction pack and agreed to abide by the Code of Conduct.

At a Board meeting earlier this week Louise, a KNAC employee, presented a draft employment policy for the Board's approval.

Jimmy, whose sister was recently unsuccessful in applying for a position with KNAC, stood and approached Louise, calling her corrupt and racist. Jimmy stood over Louise and refused to resume his seat, calling for the chairperson to sack Louise immediately.

Louise was intimidated by this behaviour, left the meeting and went home. She has been on personal leave for the last three days.

### *Does the Code apply to the people that were involved in the incident?*

Jimmy is a Director of KNAC. He must comply with the Code.

Louise is an employee of KNAC and must comply with the Code of Conduct as part of her employment obligations.

### *Did the incident happen at a meeting, event or function connected to KNAC?*

Yes. The behaviour occurred during a KNAC board meeting.

### *Does the behaviour meet the standards set out in the Code?*

No. Under the Code, Jimmy must show respect for others, act with honesty and integrity and not behave in an offensive manner during KNAC meetings.

### *What will the consequences be?*

This is a serious breach of the Code and is a workplace safety incident.

Louise, or a person that witnessed the behaviour, will make a complaint to KNAC.

The CEO, as the Delegate under the Code, will review the complaint and do an initial assessment to determine if the complaint falls within the scope of the Code.

As the behaviour occurred during a Board meeting and is very serious in nature, the CEO will determine that the complaint falls under the Code and arrange an Investigation.

The facts involved in the complaint are contained and easy to identify (occurring in the Board meeting), however the subject matter is sensitive. The CEO may determine that a Board sub-committee should complete the Investigation. If it is found that the Code has been breached, the sub-committee will make recommendations to the Board as to what disciplinary action should be taken. The Board will determine what disciplinary action will be taken which may include Jimmy receiving a formal warning and being required to undertake training. Jimmy will not take part in any of these discussions.

The CEO should offer assistance to Louise and support her to return to the workplace as soon as possible.

# Complaint Process

Karlka Nyiyaparli Aboriginal Corporation RNTBC (KNAC) represents the Nyiyaparli Common Law Holders and works to preserve and protect the Nyiyaparli culture, heritage and Native Title Land. KNAC is proud to conduct its activities in line with its values of preservation, respect and integrity.

To help KNAC and its subsidiaries to follow these values, KNAC has adopted a Code of Conduct that sets out a shared understanding and expectation of how KNAC's (and its subsidiaries) members, Directors and other stakeholders will behave when doing things with KNAC (or its subsidiaries). The Code of Conduct also establishes a process for managing behaviour that does not meet the required standards.

The complaint form is to be used to notify KNAC (or its subsidiaries) of behaviour that might fall short of what is expected of KNAC (and its subsidiaries) Directors, committee members, members, employees, volunteers and contractors.

**The complaints form can be found on the KNAC website at [www.karlka.com.au](http://www.karlka.com.au) and on request from our KNAC offices.**

## Summary of Process for Managing Breaches of the Code of Conduct

### 1. Complaint



A complaint can be made to KNAC where there is a possible breach of the Code of Conduct.

Any person who saw the incident can notify KNAC. Any complaint about a person's conduct should be made using the Complaint Form.

### 2. Initial Review



The CEO (or someone else delegated by the Board) will review each complaint and make sure all of the information is provided.

This person will then decide if the complaint needs to be investigated and who will investigate the complaint (either the CEO, a sub committee of the Board or an independent person).

### 3. Investigation



An investigation will be conducted to uncover the facts and to make a decision as to if the Code of Conduct was breached. It will also make a recommendation as to what disciplinary action should be taken.

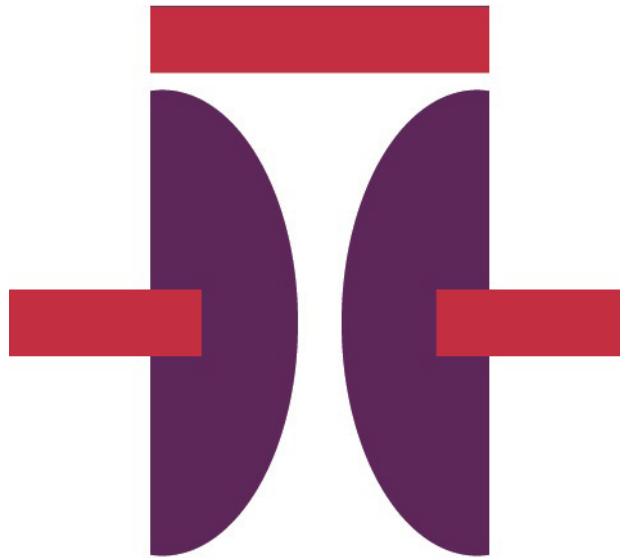
The person that is subject to the complaint will have the chance to participate in this process.

### 4. Consequences



The Board will decide what will happen if there has been a breach of the Code of Conduct.

For example, this might involve removing people from meetings, issuing a formal warning, stopping payments or removing people from their roles with KNAC.



This is a Summary of the Code of Conduct.

You can view the Code of Conduct in its entirety on the KNAC website in the Policy and Procedure section of the Key Documents.

The KNAC website can be found at [www.karlka.com.au](http://www.karlka.com.au)

Alternatively a copy can be mail out to you by contacting the KNAC office.

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