



GOULBURN-MURRAY WATER

**CODE OF CONDUCT
FOR
CUSTOMER COMMITTEES**

Doc #2660711



Chairman's Introduction

Goulburn-Murray Water values the generous and willing contribution which Customer Committee members make to its policies, executive decisions and management practices. Improving customer service and enabling customers the opportunity to influence Goulburn-Murray Water's business are founding principals.

The Board wants to foster a mutually productive and co-operative relationship between each Customer Committee and Goulburn-Murray Water. The Board wants each Committee to offer its advice from an independent, informed and constructively critical perspective.

While the Board welcomes the advice provided by its Customer Committees, the decision to incorporate or act upon such advice is at the discretion of Goulburn-Murray Water.

In creating and managing its Customer Committees in accordance with the Water Act 1989, Goulburn-Murray Water remains responsible for their activities. Because of this, the Board considers that it is both reasonable and appropriate to set out, in the form of a Code, the various expectations it has about the conduct of Customer Committees and their Committee members.

A handwritten signature in black ink, appearing to read "L Vale".

Llew Vale

Chairman

Goulburn-Murray Water

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Dictionary

In this Code, the following definitions apply:

"**Director**" means a member of the Board of Goulburn-Murray Rural Water Corporation;

"**Operational Manager**" means either an Area Manager or Manager Diversion Operations, as the case requires, or such other title as may be applicable from time to time in describing the role, and includes any G-MW staff member acting in that capacity;

"**Charter**" means the Customer Committee Charter approved by the Board of Goulburn-Murray Water.

"**Committee member**" means a member of a Customer Committee;

"**Customer**" means a customer of G-MW in any capacity;

"**Customer Committee**" means a customer committee established by the Corporation under section 122C of the *Water Act* 1989. This designation applies to Water Services Committees, Catchment Committees and Reference Committees.

"**Goulburn-Murray Water**" or its abbreviation "**G-MW**" means the trading name of the Goulburn-Murray Rural Water Corporation and for the purpose of this document is taken to include both the "Board" (or "Corporation") and Management

"**members of parliament**" includes individual state or federal members, their staff, advisors, representatives and their relevant government department.

1. G-MW'S EXPECTATIONS

G-MW:

- (a) considers that Customer Committees can assist it to make better decisions, by providing it with information and advice from a customer's perspective; and
- (b) regards customer participation as an important element of Goulburn-Murray Water's business improvement; and
- (c) encourages an honest, frank and open relationship between Customer Committees and Goulburn-Murray Water, based on mutual trust; and
- (d) expects high personal and collective standards to be observed by each Committee member.
- (e) wants Customer Committees to understand that ultimately the authority for decision making lies with the Board of Goulburn-Murray Water.

2 DUTIES OF A CUSTOMER COMMITTEE

A Customer Committee shall exercise the functions prescribed by the Charter for that Customer Committee. The issues discussed by Customer Committees should follow the protocol outlined in Schedule 1.

3 RELATIONSHIP WITH GOULBURN-MURRAY WATER

3.1 The Chair of a Customer Committee should write and, in appropriate cases also telephone either the Managing Director or the Chairman to advise G-MW of any deliberations of the Customer Committee which may:

- (a) advise significant change to the policies, procedures or administration of Goulburn-Murray Water; or
- (b) relate to the processes, decisions or performance of G-MW; or
- (c) be controversial; or
- (d) affect relations between G-MW and the Customer Committee.

The protocol for dealing with these operational and policy issues is set out in Schedule 2.

3.2 The Chair of a Customer Committee should also keep either or both of the Chairman or the Managing Director informed of the progress of any negotiations or discussions with any other Customer Committee which would lead to the provision of advice to G-MW which would have an effect referred to in sub-clause 3.1(a).

3.3 Expectations on Goulburn-Murray Water are to:

- (a) provide appropriate support to Committees.
- (b) provide access to required information (see clause 6).

- (c) identify information that is confidential, and
- (d) provide suitable induction procedures and governance training for new members.

4 CONDUCT OF COMMITTEE MEMBERS

4.1 Committee members as Customers

Nothing in this clause applies to actions undertaken by a Committee member in that person's capacity as a customer of Goulburn-Murray Water, in the ordinary course of business.

4.2 General Duties

While diversity of views is important, once a decision is reasonably made by a Committee all members should support the agreed position of the Committee.

A Committee member in the course of the Committee member's duties, must:

- (a) ensure that the work of the Committee is not compromised or affected by any direct, indirect or perceived conflict of interest (including pecuniary interest); and
- (b) act in good faith; and
- (c) perform the duties of a Committee member impartially and in the best interests of Goulburn-Murray Water and its customers regardless of personal association, membership, allegiance, affiliation or other representation; and
- (d) act honestly; and
- (e) exercise care and diligence in preparing for, and participating in, meetings of the Customer Committee; and
- (f) maintain cordial relations with customers of Goulburn-Murray Water, its employees and contractors; and
- (g) ensure the confidentiality of information dealt with by the Committee; and
- (h) attend at least 75% of Committee meetings in any year unless leave of absence has been granted or unless, as agreed with the Committee chairperson, extenuating circumstances apply; and
- (i) comply with this Code.

4.3 Safety and Environmental Responsibility

A Committee member who becomes aware of any event or circumstance relevant to the activities of Goulburn-Murray Water, which:

- (a) may conflict with Goulburn-Murray Water's safety and environmental policy or environmental objectives; or
- (b) may or does create a risk to any part of the environment, safety of employees and public customers,

should promptly report the event or circumstance to the Operational Manager.

4.4 Communication with Employees

- (a) A Committee member must obtain the prior consent of the Committee Chair and relevant Operational Manager before contacting or requesting information from a Goulburn-Murray Water employee, except where the contact is in relation to normal operational issues directly associated with service delivery as a customer of G-MW.
- (b) Any request for information from G-MW must be made through the local Operations Manager or raised at the monthly WSC meeting.

4.5 Communications

- (a) A Committee member is expected to convey in as much detail as may be required the work of the Committee with customers of Goulburn-Murray Water and to be a means of communication between customers and Goulburn-Murray Water. The internal affairs and operations of the committee should remain confidential.
- (b) The Chair (or deputy Chair, or spokesperson appointed by the Chair) of a Customer Committee may, with the prior approval of the relevant Operational Manager:
 - (i) make public statements; and
 - (ii) issue media releases,relevant to the advisory nature of the business of the Customer Committee.
- (c) As Customer Committees are advisory committees to the board, communications between them and any individual at G-MW (including the board Chairman) should be in the form of an internal memorandum and not a letter on G-MW letterhead and should not be forwarded to anyone other than the addressees. Any correspondence to third parties using G-MW letterhead will –
 - be the subject of a prior resolution of the Committee
 - be signed by the Chair of the Customer Committee or by the Deputy Chair on behalf of the Chair
 - bear the following statement of fact under the signature
“The (name of) Water Services Committee is an advisory committee to the board of Goulburn-Murray Water”
 - be countersigned by the relevant Operational Manager or delegate.
- (d) A Committee member must:
 - (i) not give information which the Committee or a Committee member has been advised is confidential, to any person who is not a Committee member of the relevant Customer Committee. It is G-MW's responsibility to identify confidential information and, if in doubt, the Committee member should seek clarification from the relevant Operational Manager; and
 - (ii) not use the aforementioned confidential information
 - for purposes other than those of the Committee
 - for personal gain of any kind ,
 - to further the activities or purpose of any association, group, or organisation of which the Committee member may be a member of, affiliated with, employed by or represent; and

- (iii) indicate, in an open and transparent manner, which views are representative of G-MW and which are representative of Customer Committees when conflicting views are presented; and
 - (iv) in the event that a Committee has a view which is contrary to a decision by Goulburn-Murray Water, in any communications the member shall fairly present Goulburn-Murray Water's decision and the basis of that decision before presenting any alternative or contrary view; and
 - (v) be able to communicate the rationale for why a G-MW decision, which may go against the community view, was made; and
 - (vi) follow the protocol for escalation of issues, set forth in Schedule 3, in Customer Committee meetings that are open to the public; and
 - (vii) refer any enquiries about the policies, plans or operations of Goulburn-Murray Water not within the Charter to the relevant Operational Manager.
- (e) Confidential information includes –
- (i) information designated as confidential by G-MW
 - (ii) G-MW information not released or not yet released to the general public

4.6 Communication with Members of Parliament

- (a) As an advisory committee to G-MW, Customer Committees will not, and individual Committee members in their capacity as Committee members shall not -
 - (i) communicate (in writing or in person or by telephone) with members of parliament other than -
 - when specifically requested by a member of parliament or the office of the member (in which case the member shall advise the Managing Director of such request),
 - when requested to do so by G-MW
- (b) All written communications with members of parliament shall be in accordance with clause 4.5(c)
- (c) All personal meetings and telephone communications with members of parliament shall require the prior approval of the Operations Manager or, where this is not practicable, such communications shall be limited to
 - learning about how policies or proposals to amend policies will affect their community; and
 - understanding the policy landscape and operating environment.

and shall not under any circumstances be used for purposes such as

 - political lobbying; and
 - interactions that supersede the Board's relationship with the Minister and parliament; and
 - communicating Board positions on government policies; and
 - criticism of G-MW Board policies or decisions.

Nothing in this clause shall restrict the right of an individual Committee member, in that person's capacity as an individual, from communicating directly with members of parliament, provided that such communication remains subject to clauses 4.5(b) and 4.5(d)(1).

4.7 Communications with the Essential Services Commission

- (a) To ensure Goulburn-Murray Water awareness and involvement, communications that a Customer Committee may direct to the Essential Services Commission are to be made in accordance with clause 4.5(c) and directed through the Managing Director of Goulburn-Murray Water.
- (b) A meeting between a Customer Committee and the Essential Services Commission is to be cleared with the Managing Director of Goulburn-Murray Water before committing to a meeting proceeding. The conduct of such meeting shall be in accordance with clause 4.6(c).

5 USE OF RESOURCES

Financial, material and human resources are provided through Goulburn-Murray Water to enable the Committee to perform its functions. These resources should be used for the work of the Committee in fulfilling its role and functions only.

6 ACCESS TO INFORMATION

As a matter of principle Goulburn-Murray Water will make available to the Committee any available information which will assist the Committee to perform its functions, other than information that would infringe commercial confidentiality agreements, intellectual property of other parties or privacy rights of customers.

Privacy legislation places restrictions on what individual customer information G-MW can provide to Committees. Requests by a Committee for individual customer information should be referred to Goulburn-Murray Waters Privacy Officer for a decision on the release of requested information.

Where confidential information is provided to a Committee member, care must be taken to ensure that the information is kept secure.

7 IMPROPER ACTIVITIES

7.1 Misuse of Information

A Committee member or former Committee member must not make improper use of information acquired by virtue of that person's position as a Committee member. Information is used improperly where it is used to deliberately

- (a) gain either directly or indirectly any pecuniary or other advantage for the Committee member or any other person or body; or
- (b) cause harm or detriment to any person or body, including Goulburn-Murray Water.

7.2 Improper Influence

A Committee member or former Committee member must not take advantage of the Committee member's position to improperly influence or intimidate another Committee member or Goulburn-Murray Water employee in performing that person's functions, in order to gain any undue or improper advantage either for the Committee member or any other person or body.

7.3 Improper Actions

A Committee member must not do anything that:

- (a) might reasonably be construed as threatening any Goulburn-Murray Water employee, Customer Committee member or contractor; or
- (b) could affect either the occupational health and safety or the equality of opportunity of any current or prospective employee of Goulburn-Murray Water or of its contractor.

7.4 Inappropriate Conduct

A Committee member must not, in that person's capacity as a Committee member -

- (a) do anything for which the Committee member might be prosecuted for an offence, sued for a civil wrong or bring the Committee into public disrepute
- (b) Use the Committee as a political lobbying forum
- (c) Use the Committee and G-MW resources as a means of obtaining information that can be used for political or other purposes not related to the functions of the committee.

8 PERFORMANCE REVIEW

8.1 Review of Customer Committee

- (a) Each Committee shall annually review its performance in carrying out its function within the terms of the Charter in the preceding year and adopt a written report on that review, which shall be provided to the Board.
- (b) In reviewing its performance, a Customer Committee must consider the matters set out in Schedule 4.

8.2 Safe-keeping of Reports

Each report prepared under this clause must be kept in the secure custody of the relevant Operational Manager.

8.3 Access to Reports

No person other than:

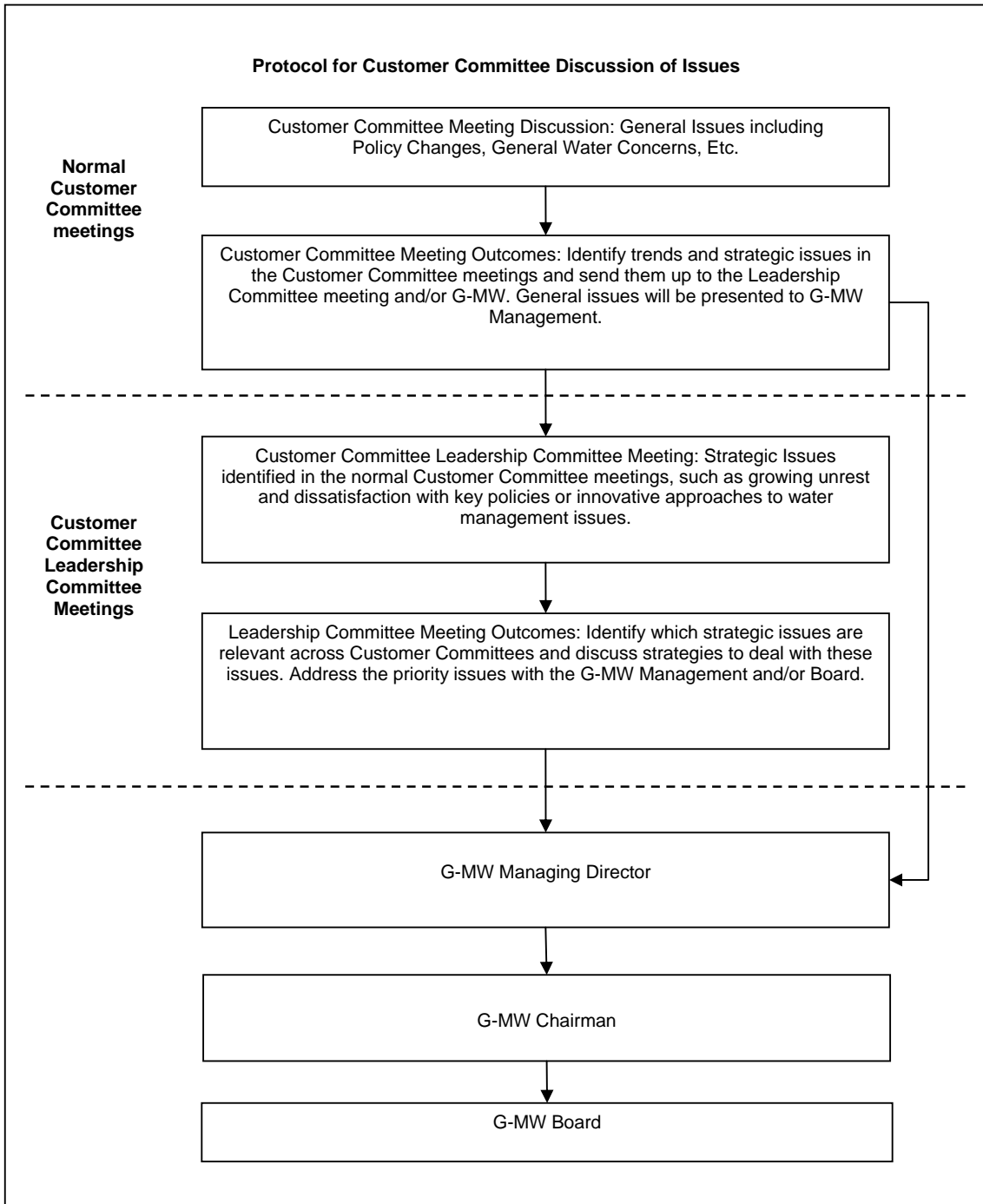
- (a) the relevant Operational Manager
- (b) the Chair of the Customer Committee, and
- (c) the Board or the Board's nominee

may have access to a report prepared under this clause.

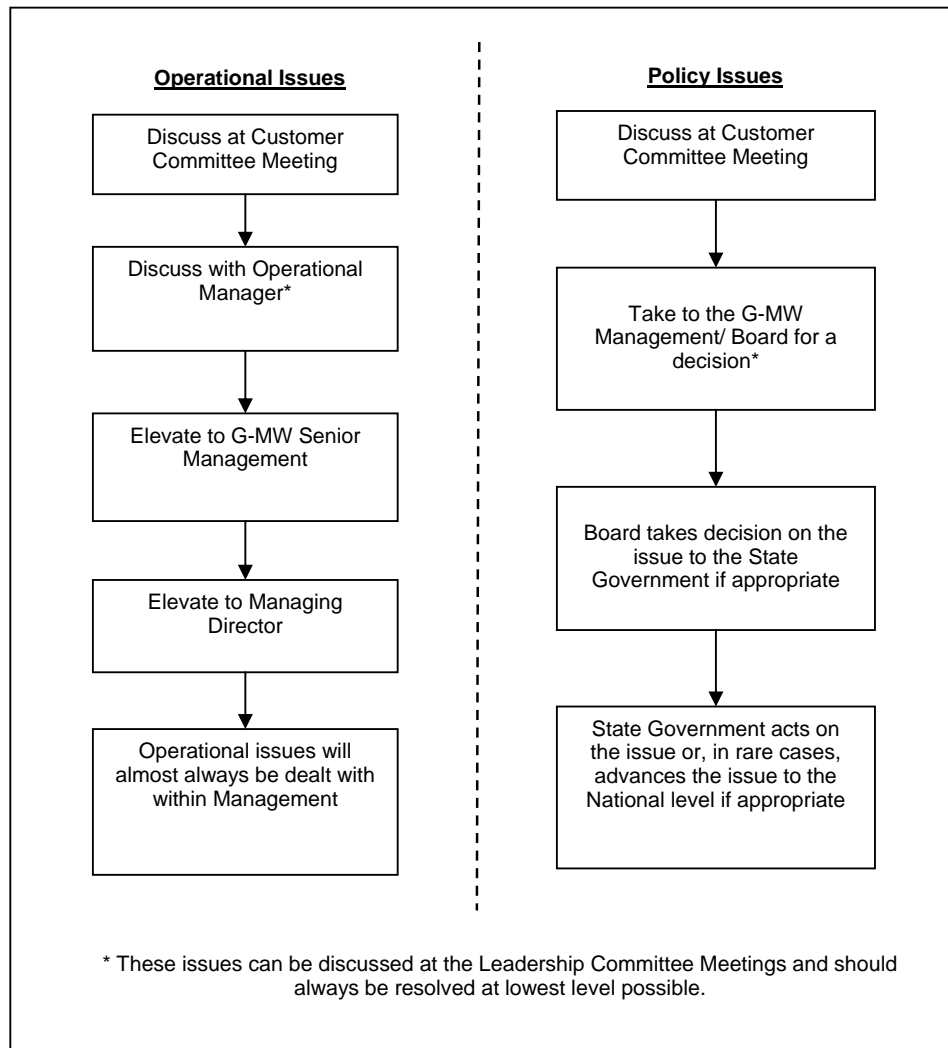
9 IMPLEMENTATION OF CODE

- (a) A person who considers that a Committee member has breached a provision of this Code may inform the Corporate Secretary of the alleged breach.
- (b) The Managing Director must inform the Committee member of the allegation, as soon as possible after it has been made.
- (c) The Managing Director must decide whether or not to refer the allegation to a panel.
- (d) Subject to paragraph (e), a panel shall comprise:
 - (i) the Chair (or deputy Chair) of the relevant Customer Committee; and
 - (ii) a Committee member from another customer committee nominated by the Chair (or deputy Chair) of the relevant Customer Committee; and
 - (iii) a Director, nominated by the G-MW Chairman, who shall chair the panel.
- (e) The person against whom the relevant allegation has been made cannot be a member of the panel.
- (f) The panel must:
 - (i) invite the Committee member against whom the allegation has been made to make either or both of written and oral submissions to the panel; and
 - (ii) consider the allegations and any written or oral submissions made to the panel; and
 - (iii) determine whether the Committee member has or has not breached any provision of this Code, beyond any reasonable doubt; and
 - (iv) determine whether any breach was a significant breach.
- (g) Except as provided in this clause, a panel may determine its own proceedings.
- (h) If the panel determines that a significant breach of this Code has occurred, it:
 - (i) must report its conclusion to the Managing Director in writing within 90 days of the panel being appointed; and
 - (ii) may recommend either that the Committee member be suspended or removed from office.
- (i) Should Goulburn-Murray Water determine to prosecute a Committee member or domestic partner of a Committee member for an offence as a customer under the *Water Act 1989* then, upon such advice from Goulburn-Murray Water, the Committee member must stand down from the Customer Committee until the case is decided. If found not guilty of the offence, the Committee member may resume his/her appointment on the Customer Committee. If found guilty of the offence, the Committee member's appointment will cease from the day of being found guilty, in accordance with item 4.2 (a).

SCHEDULE 1 - PROTOCOL FOR DISCUSSION OF ISSUES AT CUSTOMER COMMITTEE MEETINGS



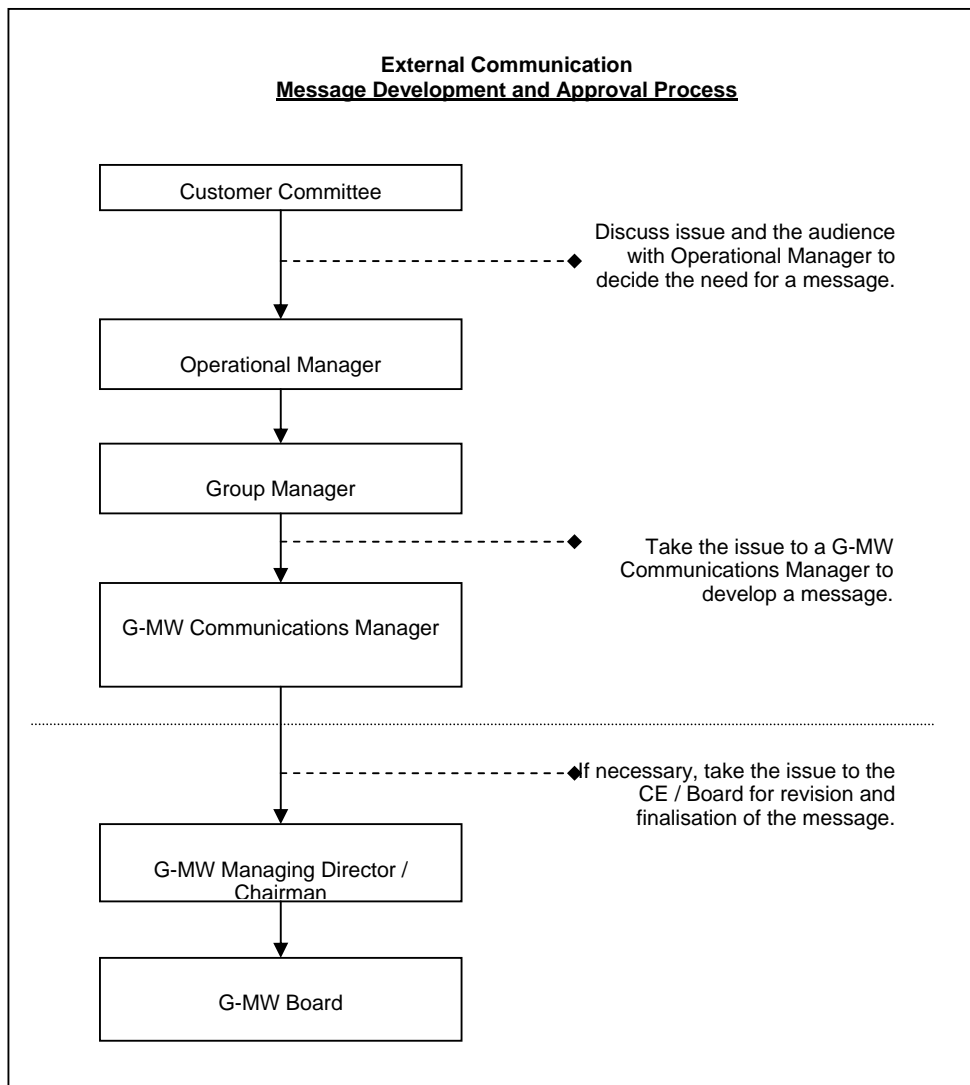
SCHEDULE 2 - PROTOCOL FOR DISCUSSION OF POLICY AND OPERATIONAL ISSUES



Requirements for ushering issues through these discussion channels include:

- (a) feedback will be provided to the Customer Committee at each step; and
- (b) communication (i.e. feedback) should occur within four weeks of an issue moving to the next step in this process; and
- (c) if no answer is received within four weeks, the Customer Committee is empowered to approach the next group in the chain.

SCHEDULE 3 - MESSAGE DEVELOPMENT AND APPROVAL PROCESS



SCHEDULE 4 – CUSTOMER COMMITTEE PERFORMANCE REVIEW

Question	Comment	Action required (if any)
1 Has the Committee properly addressed the functions contained in its Charter?		
2 Have the meetings been chaired effectively and agendas followed?		
3 Has the action taken been effective?		
4 Are the member skills and number and mix of members on the Committee appropriate?		
5 Does the Committee devote its time appropriately between its respective functions		
6 Are there functions to which more time or effort should have been devoted?		
7 Can the conduct or operation of meetings be improved?		