KUSTOM K AUS. KOMMUNE

D.I.Y. MOTORCYCLE WORKSHOP

ANTI-HANDBOOK HANDBOOK

Soz, we're cooler than this. Honestly!

Volunteer HANDBOOK

Introduction

This handbook sets out The Kustom Kommune Pty Ltd’s (Company) policies for volunteers. The policies in this handbook apply to all volunteers, and other workers as applicable and must be complied with at all times.

Volunteering is unpaid. This handbook sets out the expectations and support for that role; it is not an employment contract. The policies and procedures outlined in this handbook may be changed, modified, suspended or cancelled at any time at the sole discretion of the Company. For more information or for clarification about any part of this handbook, please contact Jimmy Goode.

This handbook contains The Kustom Kommune Pty Ltd's:

01. IT Policy
02. Drug and Alcohol Policy
03. Anti-Discrimination Policy
04. Harassment and Bullying Policy
05. Grievance Policy
06. Poor Performance and Misconduct Policy
07. Work Health and Safety (WHS) Policy
08. Volunteer Privacy Policy
09. Social Media Policy
10. Surveillance Policy
11. Conflict of Interest Policy

1. IT Policy

About

This policy sets out the Company's policy in relation to using and accessing its computer systems, including the internet and email. This policy applies at all times, including when you are working at home, at a client's premises or at any other place.

Use of IT resources and surveillance

Any email use, internet use or voice communication content must not be detrimental to, nor adversely affect, the reputation or operations of the Company, its volunteers or customers. volunteers are responsible and accountable for their email use, internet use and voice communications, including the content of these.

Any social media use in a personal capacity must also not be detrimental to, nor adversely affect, the reputation or operations of the Company, its volunteers or customers. You must not present or communicate on behalf of the Company on social media without the prior authorisation of the Company. Any social media use in a work or personal capacity must comply with this policy.

All access to and usage of the Company's data, or any email or voice communications using company equipment or resources may be monitored or accessed by authorised volunteers. The Company also reserves the right to monitor, access and record internet usage and web browsing activity of all volunteers in the workplace or using company resources.

General Use

At all times, you must also comply with the following:

(a) You may use the Company's IT resources for business use and reasonable personal use, provided that such use does not bring the company or its related entities into disrepute and is not contrary to this policy or to any applicable law. Personal use must be kept to a minimum and must not prevent you from properly performing your duties;

(b) You must not use any of the Company's property or IT resources to deal with illegal, offensive or defamatory material including by creating, downloading, transmitting, forwarding, copying or saving illegal, offensive or defamatory material;

(c) You must not use the Company's property or IT resources to act in a manner that could expose the Company, team members, customers or other related parties to loss or liability;

(d) You must not use any of the Company's property or IT resources to bully, harass or discriminate against any person. This includes by sending defamatory, threatening or obscene messages to any person, distributing pornography or other offensive material and/ or sending emails that denigrate or ridicule any person (whether or not a member of team). Such behaviour will be treated as serious misconduct and result in disciplinary action which may include ending the volunteer arrangement;

(e) You must protect your email account including by keeping your password private, changing it regularly and not letting other people use it or know what it is. You should log off or lock your computer when leaving your computer for an extended period;

(f) You must not represent your personal opinions as those of the Company; and

(g) You must not send or disclose confidential or proprietary information belonging to the Company except as strictly necessary in the proper performance of your duties.

Security

The Company's information systems and data must be securely protected by passwords or other authentication methods. volunteers with access to the Company's information systems and data are held responsible for the security and secrecy of their own passwords, or any other authentication verification data.

Passwords are not to be written or displayed in a public area, or shared in an email, or other form of electronic communication. Passwords or any other authentication verification tools or devices must never be shared, loaned or sold.

Volunteers must not act in a way that is detrimental to, or adversely affects, the safety and security of the Company's information systems.

Data Governance

Any data generated during business operations, or created by volunteers for any purpose that relates to the function of the Company's operations or for the Company's benefit, is the property of the Company.

All volunteers of the Company must ensure appropriate data handling procedures are followed to uphold the security and integrity of the Company's data. A volunteer’s access to and usage of data should conform to the individual's job function and/or description.

Any data that is considered to be reasonably sensitive, vulnerable or subject to privileges should be securely encrypted. Release of data should be subject to authorisation by the Company in compliance with any confidentiality procedures.

Company-issued IT equipment

Company resources and equipment, including IT equipment is to be respected by volunteers. IT equipment includes but is not limited to company-issued phones, laptops, tablets, and any other electronic equipment issued by the Company to volunteers. All IT equipment belongs to the Company and must be returned by the volunteer as soon as reasonably possible when requested by the Company.

All volunteers should take steps to secure IT equipment when such equipment is not in use, including when this is taken outside of the workplace.

Breach of this policy may result in disciplinary action, including but not limited to summary termination.

If you have any questions about this policy, please contact Jimmy Goode.

2. Drug and Alcohol Policy

About

Volunteers and other workers are expected to maintain the highest professional standards when conducting Company business. You must present for work sober and not under the influence of alcohol, non-prescription drugs or prohibited substances.

Being under the influence of, or the consumption, use, possession, purchase, sale or transfer of alcohol, illegal or non-prescription drugs or any prohibited substance at work or during volunteer shifts (including during meal breaks) is strictly forbidden. Disciplinary action including but not limited to ending the volunteer arrangement may be taken where this is breached.

While it is a personal decision to lawfully use alcohol outside of volunteer shifts, it is essential that such use does not interfere with the safe performance of your duties, your ability to complete your work, or the reputation of the Company.

Further, a volunteer may not report to work, or perform work, if their judgment, coordination, or performance could reasonably become impaired during work due to the use of alcohol, illegal or non-prescription drugs or any prohibited substance.

Specific exceptions

At approved Company or social functions, moderate alcohol consumption may be permitted. However, intoxication at such events is prohibited and all volunteers and other workers must conduct themselves in a professional manner at all times.

If you must take prescribed medication which may impair your ability to perform your job safely and/or effectively, you must advise Jimmy Goode before performing any duties so that steps can be taken as necessary to ensure your safety and the safety of others.

Smoking

Volunteers and other workers are prohibited from smoking on Company premises and any Company vehicles where applicable.

Volunteer assistance

The Company recognises that drug or alcohol abuse, or the abuse of other substances can be successfully treated and is committed to helping volunteers who suffer from these problems, while holding them responsible for their own recovery.

The intent of this policy is to offer a helping hand to those who need it. The Company will provide any necessary information to the volunteer and referral to an appropriate treatment provider in the event that treatment is required.

If you need time away from volunteering, let your manager know so that shifts and responsibilities can be rearranged. Discuss any support or adjustments you need before returning.

Any information regarding a volunteer's condition will be treated in the strictest of confidence and in accordance with the Privacy Act 1988 (Cth). No referrals will be made or information provided to other parties without the permission of the volunteer involved.

If you have any questions, please contact Jimmy Goode.

3. Anti-Discrimination Policy

About

The Company is committed to equal opportunity and a volunteer environment free from discrimination and vilification. It is a volunteer's right to be treated with dignity and respect and it is also the volunteer's responsibility to treat others the same way.

The Company is committed to meeting its legislative obligations relating to discrimination and will take all reasonable, practicable steps to provide and maintain a working environment free from behaviours and actions that may be discriminatory.

An internal grievance resolution process assists volunteers to raise issues of concern, and all complaints will be treated confidentially, seriously and sympathetically. No volunteer shall be penalised or disadvantaged as a result of raising any genuine concern or complaint.

This policy applies to all activities, and all those involved in those activities, including volunteers, contractors, customers and visitors, that take place on work premises and elsewhere where activities are undertaken in the course of volunteering, or at work-related activities, such as social functions.

Discrimination

Discrimination occurs when a person is treated less favourably than another person as a result of that person's individual characteristics or because that person belongs to a particular group.

Discrimination on the basis of any of the following characteristics is unlawful:

(a) race (including colour, nationality, religion, ethnic or ethno-religious origin);
(b) sex (including marital status, pregnancy or potential pregnancy, or breastfeeding);
(c) sexuality (including sexual preference, transgender status or homosexuality);
(d) disability (including physical, psychiatric or intellectual disabilities, or a disability you believe the person has, whether or not they have that disability);

(e) age;
(f) illness or injury;
(g) parental status or responsibilities as a carer;
(h) political beliefs and/or activity; or
(i) membership or non-membership of a union.

Discrimination can be either direct or indirect. No volunteer is to engage in discriminatory conduct in relation to their treatment of other volunteers, contractors, customers and visitors (including members of the public).

It is also unlawful to treat a person less favourably because they have a personal association with someone who has one or more of the above attributes.

Vilification

It is unlawful and against the Company's policy to do any public act which vilifies a person on the basis of their race, religious belief or affiliation, gender identity, transgender status, sexual preference or HIV/AIDS status. It is also against Company policy to do any private act which vilifies a person on the basis of any of these characteristics.

Vilification means any public act which could encourage hatred, contempt or ridicule of a person because of their race, religious belief or affiliation, gender identity, transgender status, sexual preference or HIV/AIDS status. Examples of vilification include publicly making speeches or statements or wearing clothing with slogans, that vilify others.

Conduct that breaches this policy

Conduct that breaches this policy is unacceptable and, depending on the severity and circumstances, may lead to disciplinary action, regardless of the seniority of the particular volunteers involved.

The Company shall take appropriate disciplinary action against any volunteer who is responsible for, or engages in, any form of unlawful discrimination or vilification.

Disciplinary action may include, but is not limited to, the following:

(a) reassignment of duties;
(b) a requirement to provide a written or verbal apology;
(c) a formal warning;
(d) a requirement to attend training or counselling; or (e) ending the volunteer arrangement.
It is also unlawful and against Company policy to victimise or otherwise disadvantage a person who alleges that they have been discriminated against or vilified. Any worker including a volunteer or contractor who victimises, threatens, intimidates or otherwise places at disadvantage a person who alleges they have been discriminated against or vilified will be subject to disciplinary action including, but not limited to ending the volunteer arrangement. What to do if you have a complaint

What to do if you have a complaint

If you feel that you have been subject to unlawful discrimination, vilification or victimisation, please speak with Jimmy Goode. If you do not feel comfortable speaking with Jimmy Goode, you may also speak with another committee member who is not involved in the concern.

Your complaint will be investigated and if established, appropriate action will be taken against the person engaging in unlawful conduct. Your complaint will be treated seriously, and we will respect and maintain your confidentiality and privacy as much as possible.

If you have any questions in relation to this policy please contact Jimmy Goode or another committee member who is not involved in the concern, as appropriate.

4. Harassment and Bullying Policy

About

The Company is committed to providing a workplace free of all forms of harassment and bullying, as prescribed by Commonwealth and state legislation. All workers have the right to be treated with dignity and respect, and are required to treat each other accordingly.

This policy applies to all volunteers and any other workers such as contractors engaged by the Company. It applies in the workplace, when you are working off-site and during any activity undertaken in the course of volunteering, including work-related events such as business trips, meetings, social events and training programs.

Any grievances raised under this policy will be treated seriously and as confidentially as possible. You will not be penalised or disadvantaged as a result of raising any genuine concern or complaint.

Relevant and appropriate disciplinary action will be taken against anyone found to have breached this policy, which may include, but is not limited to ending the volunteer arrangement.

Harassment

Harassment is not permitted, and means any unwelcome behaviour which a reasonable person in the circumstances would find offensive, humiliating or intimidating. The fact that no offence was intended does not mean that harassment has not occurred. If the behaviour has the effect of being offensive, humiliating or intimidating, that is usually enough.

Harassment may occur as a single act, or as a series of incidents. It may be subtle or openly hostile and occur in private or public settings.

Examples of harassment may include, but are not limited to:

(a) Swearing in the workplace;

(b) Gossiping about a person, or asking intrusive questions about another person's private life, including their religion, family or other matters;
(c) Constantly monitoring what someone else is doing, giving unsolicited or unreasonable criticism or 'nitpicking';
(d) Openly displaying pictures, graffiti or other written materials which might be offensive; and/or
(e) Sending communications via phone, email or computer networks which may be threatening, abusive or offensive.

Sexual harassment

Sexual harassment means any unwelcome behaviour of a sexual nature which a reasonable person in the circumstances would find offensive, humiliating or intimidating. Such behaviour is unlawful and not permitted.

Examples of sexual harassment may include, but are not limited to:

(a) Sexual advances or requests for sexual favours;
(b) Inappropriate or unsolicited physical contact, such as patting or pinching;
(c) Sexual violence or indecent and/or sexual assault;
(d) Public displays of nudity;
(e) Verbal comments or unwelcome questions about someone's appearance, dress or private life;
(f) Lewd jokes or wolf whistling; and/or
(g) Communications displaying offensive material or pornography, including posters, calendars or via email or mobile phone.

Bullying

Workplace bullying means repeated and unreasonable behaviour directed towards another person or group of people that creates a risk to health and safety:

(a) Repeated behaviour refers to the persistent nature of such behaviour and can be in reference to a range of actions over time; and

(b) Unreasonable behaviour refers to behaviour that a reasonable person would consider unreasonable in the circumstances. It includes behaviour that is victimising, humiliating, intimidating or threatening.

Such behaviour may be unlawful and is not permitted. Single incidents of such conduct may also present a risk to health and safety and will not be tolerated.

It may include obvious verbal or physical assault to very subtle psychological abuse and can include:

(a) Physical intimidation or actions such as punching a person;
(b) Verbal abuse, threats, sarcasm or other forms of demeaning or intimidating language or communication;
(c) Psychological harassment;
(d) Excluding or isolating another person;
(e) Deliberate change of work duties, sabotaging another's work or placing unreasonable work demands on another person.

What is not workplace bullying?

Reasonable management action taken in a reasonable way is not bullying. Managers have a responsibility to conduct performance reviews, manage volunteers and to provide feedback on performance and work-related behaviour. On occasion, this may include negative review or comment which you may find uncomfortable, but will not amount to bullying or harassment.

Workplace bullying does not include:

(a) Legitimate and relevant counselling, comments or advice relating to your performance or conduct at work; and/or
(b) Discussion or counselling designed to assist you to meet performance targets.

Conduct that breaches this policy

Conduct that breaches this policy is unacceptable and, depending on the severity and circumstances, may lead to disciplinary action, regardless of the seniority of the particular volunteers involved.

The Company shall take appropriate disciplinary action against any volunteer who is responsible for, or engages in, any form of bullying or harassment behaviour.

Disciplinary action may include, but is not limited to, the following:

(a) Reassignment of duties;
(b) A requirement to provide a written or verbal apology;
(c) A formal warning;
(d) A requirement to attend training or counselling; or
(e) Ending the volunteer arrangement.

It is also unlawful and against Company policy to victimise or otherwise disadvantage a person who alleges that they have been bullied or harassed. Any worker including a volunteer or contractor who victimises, threatens, intimidates or otherwise places at disadvantage a person who alleges they have been bullied or harassed will be subject to disciplinary action including, but not limited to ending the volunteer arrangement.

What to do if you have a complaint

If you believe you have been bullied or harassed by another worker, please notify Jimmy Goode. If you do not feel comfortable discussing the behaviour with Jimmy Goode, you can contact another committee member who is not involved in the concern.

If it is safe to do so, you can also speak with the person responsible for the conduct in the first instance and ask them to stop. If this doesn't work, or you don't feel comfortable doing this, you can still notify the designated contact directly.

Your complaint will be investigated and if established, appropriate action will be taken against the person engaging in unlawful conduct. Your complaint will be treated seriously, and we will respect and maintain your confidentiality and privacy as much as possible.

If you have any questions in relation to this policy please contact Jimmy Goode or another committee member who is not involved in the concern, as appropriate.

5. Grievance Policy

About

This procedure explains what to do if you have a workplace concern, or a grievance about any act, policy, omission, situation or decision that you think is unfair, discriminatory or constitutes harassment or bullying.

We will deal with any complaint seriously, impartially, quickly, fairly and as confidentially as possible. We will do our best to ensure that you are not victimised in any way for lodging a complaint, involvement in the investigation of a complaint, or for supporting someone else's complaint.

All volunteers of the Company may follow this grievance policy.

What to do if you have a grievance

There are informal and formal ways to manage a grievance.

An informal process is usually nominated unless the volunteer prefers to follow the formal grievance process, or if the circumstances make it inappropriate to do so.

The informal process may be initiated verbally and does not require lodging a grievance in writing. However, the Company representative should prepare sufficient notes to document the initial discussion, any developments and the reasons behind any decisions made.

The formal process must be lodged in writing, and contain sufficient information regarding the nature of the issue. It must be signed and dated by the complainant, and where there is more than one complainant, all complainants must sign and date the document. The Company representative must also take sufficient notes to document all discussions, developments, and outline the reasons for any decisions made.

Any documentation associated with a grievance will be kept in confidential files, which will be separate to the personnel files of both the complainant and respondent. This information will only be placed in a personnel file where the complaint results in disciplinary action, or involves substandard performance. The volunteer will be notified as appropriate where any such information is recorded on their personnel file.

If a volunteer is unsure about the most appropriate process to follow for a grievance, they can speak to Jimmy Goode for guidance, or if they are uncomfortable speaking to Jimmy Goode, they can speak with another committee member who is not involved in the concern.

Informal process

An informal grievance process involves a team member (the complainant) seeking to resolve a grievance they have with someone else in the Company (respondent) by themselves, or with the help of Jimmy Goode.

Where there is an allegation of bullying or harassment the complainant may choose not to be directly involved in raising the issue with the respondent.

Where the matter relates to conditions of work, such as workload, the volunteer's manager may be the respondent, in which case the supervisor's manager may be involved to facilitate the process.

Where the grievance is in relation to a general workplace concern and does not involve a respondent, the complainant should speak with Jimmy Goode or another committee member who is not involved in the concern as appropriate.

An informal process does not result in 'findings' about whether the alleged conduct did or did not occur.

An informal process is appropriate in some circumstances, including where:

(a) the complainant wishes to deal with the matter informally;
(b) the complaint is relatively minor in nature;
(c) the respondent has no recorded history of engaging in conduct of the kind alleged by the complainant; and/or
(d) the respondent does not deny the substance of the allegation.

Even if a complainant wishes to deal with an issue informally, we may determine that the matter must be dealt with in a formal process. We may determine that an issue should be dealt with formally if it is a serious allegation or there is a history of complaints against the respondent.

Outcomes from an informal process may include, but are not limited to:

(a) an acknowledgement and apology by the respondent;
(b) an agreement by the respondent to undertake training or coaching;
(c) the change or development of a policy or practice; and/or
(d) a change in behaviour by the respondent, as directed.

A successful outcome to an informal grievance process consists of all parties having had an opportunity to present their story, along with consensus by all on the decisions made and any provisions for resolution of the grievance. Where applicable, the parties should feel capable of continuing to work together in a professional capacity.

Formal process

A formal process involves the initiation of a formal review of an allegation made by a complainant. The formal process is appropriate where:

(a) the complainant wishes to deal with the matter formally;
(b) the allegations are serious;
(c) an informal process has not resolved the complaint (however an informal process is not required before a formal investigation commences); and/or
(d) there is a history of complaints against the respondent.

A formal process involves the complainant making the complaint to their manager without first speaking directly with the respondent or if the manager determines that a formal process is appropriate in the circumstances.

During the formal process:

(a) the complainant and the respondent are interviewed separately to give their version of events;
(b) any other relevant people are interviewed to give their version of events;
(c) recommendations to resolve the complaint are made;
(d) parties, including the complainant and the respondent, are kept informed as appropriate; and

(e) details may be noted on personnel files.

Complaints will be dealt with seriously, impartially, quickly and fairly. In order for us to deal with a complaint, it may not be possible for the complainant to remain anonymous however we will maintain confidentiality as much as possible.

Outcomes from a formal process may include, but are not limited to:

(a) an acknowledgement and apology by the respondent;
(b) changes in office seating or work arrangements, such as reporting lines or work responsibilities;
(c) a change in behaviour by the respondent, as directed; and/or
(d) disciplinary action, which may include ending the volunteer arrangement if appropriate.

External process

You may seek advice or make a complaint to an external agency, including the Australian Human Rights Commission or the Victorian Equal Opportunity and Human Rights Commission. You do not need to complete the internal process before seeking external advice.

Frivolous and/or vexatious complaints

Any volunteers who lodge a grievance are expected to cooperate with the process and provide evidence where possible.

If at any stage of the grievance resolution process the Company is satisfied that a grievance is frivolous, vexatious, misconceived or lacking in substance, the complaint may be dismissed. A finding that a complaint has been made frivolously or vexatiously may lead to disciplinary action against the complainant.

However, we encourage volunteers to speak up if they believe they have a legitimate grievance or complaint. We will do our best to ensure that you are not victimised in any way for lodging a genuine complaint, being involved in the investigation process, or for supporting someone else's complaint.

6. Poor Performance and Misconduct Policy

About

The Company expects all volunteers to show competence, care, good faith and compliance with instructions, policies and procedures in the performance of their duties and to conduct themselves in a manner which respects the rights and welfare of other volunteers of the Company.

Where a volunteer's work performance or conduct does not meet a satisfactory standard, an appropriate process of investigation and corrective action must be taken. The Company has a framework for managing the conduct and/or performance of volunteers that will be applied in compliance with relevant legislation, as well as the principles of natural justice and procedural fairness.

The purpose of the framework is to provide volunteers with a guide to the process which the Company may follow when dealing with instances of poor performance, unsatisfactory conduct and/or serious misconduct.

This process is a guide only, and the disciplinary process may vary depending on the severity of the misconduct, past behaviour, length of service and any other applicable factors. The framework might not be applied in all cases, and the Company reserves the right to vary the process to be more suited to the specific circumstances.

The following is a guide to how poor performance and/or misconduct may be dealt with by the Company:

(a) Severity: Unsatisfactory conduct or poor performance

(i) 1st instance: Formal Verbal Warning

(ii) 2nd instance: Written warning

(iii) 3rd instance: Final written warning

(iv) 4th instance: Termination

(b) Severity: Misconduct

(i) 1st instance: Final written warning

(ii) 2nd instance: Termination

(c) Serious Misconduct

(i) 1st instance: Termination

The Company will make every effort to ensure that the process followed is a fair one, including consideration of your responses to any matters raised with you. This policy will assist in ensuring that there is clear guidance in place in the event of a disciplinary hearing, and you are aware of your expected standards of performance and behaviour at the Company.

The Company will ensure that all disciplinary and performance matters are investigated adequately and that volunteers are given the opportunity to respond to any disciplinary or performance matters. In some instances, the Company may pause your volunteer duties while the matter is investigated. This does not change the unpaid nature of the role, and you will have an opportunity to respond.

Examples of Unsatisfactory Conduct and/or Misconduct

The following is a guide to matters which the Company considers should be the subject of a performance or disciplinary process. This list is not exhaustive and the process may be applied to other conduct.

Examples of Unsatisfactory Conduct and/or Misconduct are:

(a) unsatisfactory performance;

(b) not following Company policies or procedures, including Work Health and Safety policies and procedures;

(c) acting in a manner which may threaten the health or safety of yourself, other volunteers or any other individuals;

(d) persistent lateness or absenteeism;

(e) not adequately devoting your time or attention to allocated work during your normal agreed shifts;
(f) negligence, damage, loss or unauthorised use of company property or failure to report any such negligence, damage, loss or use; and/or
(g) if you are required to drive as part of your role, failure to report any driving limitations or loss of licence.

Serious misconduct process and/or termination

If the Company is of the view that you may have engaged in serious misconduct, we will arrange a time to meet with you to discuss any alleged serious misconduct. You may choose to have a support person present during the meeting.

You will be informed that we are considering ending your volunteer arrangement immediately for serious misconduct and the reason why. You will be provided with an opportunity to respond. If, after considering your response to the alleged serious misconduct, we are satisfied that you have engaged in serious misconduct, your volunteer arrangement may end immediately.

The following is a guide to matters which the Company considers as constituting serious misconduct. This list is not exhaustive and other conduct may also be considered serious misconduct.

Examples of serious misconduct include:

(a) acts of unlawful discrimination, bullying or harassment;
(b) physical violence;
(c) deliberate destruction of Company property;
(d) being under the influence of drugs or alcohol at work;
(e) theft or fraud; and/or
(f) any action which may cause significant risks to the health or safety of yourself, volunteers or any other individual.

If you have any questions about this policy, please contact Jimmy Goode.

7. Work Health and Safety (WHS) Policy

Policy statement

The Company and management recognise that the health and safety of all workers and third parties is of vital importance and is key to a successful business.

We aim to continuously maintain and improve the work environment to ensure that it is, so far as is reasonably practicable, safe for all workers and third parties and without risk to their health. The Company will endeavour to continuously improve health and safety in the workplace through consultation, the adoption and improvement of safe work practices, as well as increasing the awareness of health and safety obligations for management and all other workers.

Jimmy Goode

On behalf of The Kustom Kommune Pty Ltd

WHS obligations

The Company's responsibilities

The Company aims to:

(a) Provide and maintain a work environment (including equipment and systems of work) that is, so far as is reasonably practicable, safe for all volunteers and third parties and without risk to their health; and
(b) provide adequate facilities for the welfare of workers and other persons at work;
(c) provide information, training, instruction and supervision as necessary to maintain a healthy and safe workplace;
(d) monitor the workplace and the health and safety of workers to assist in preventing injury and illness;
(e) communicate with senior management on a regular basis on any matters that concern the provision of a healthy and safe workplace; and
(f) consult with workers on matters of work health and safety.

Managers, volunteers and other workers are responsible for ensuring the health and safety of themselves and others at work.

Duties of management

Specifically, managers, supervisors and other similar position holders are also required to:

(a) keep updated on work health and safety matters;

(b) Understand the practices and processes used to meet health and safety duties.
(c) Ensure resources and processes are available to eliminate or reduce risks to workers and third parties.
(d) Maintain ways to receive, consider and act on reports of incidents and hazards.
(e) Monitor conditions and address health and safety matters raised by workers.
(f) Consult workers and provide appropriate supervision and training.

Duties of volunteers

As a volunteer or other worker, you must:

(a) Take reasonable care of your own health and safety and that of others, including using the safety equipment provided.
(b) Follow applicable codes of practice and health and safety directions.
(c) Avoid practical jokes or other conduct that could injure someone.
(d) Tell your manager or supervisor immediately about anything that may affect the safety of volunteers or visitors.
(e) Report any workplace injury to yourself or another worker immediately.
(f) Complete the relevant hazard or incident forms as soon as practicable.

Duties of visitors

Visitors must take reasonable care of their own safety and that of others, and follow reasonable safety instructions.

Everyone must comply with the safety procedures. Breaches may lead to the end of a volunteer arrangement and may expose you and the Company to prosecution.

Reporting Accidents and Injuries

As per your duties as a worker, all accidents, injuries and ‘near misses’, whether they occur at work or while travelling to and from work, must be reported immediately to your manager, or if that person is not available, to another person with management responsibilities.

In addition:

(a) Where there is a very minor injury which requires no treatment or first aid treatment only, a record should be made on the Register of Injuries;

(b) Where an accident, injury or ‘near miss’ occurs that requires or has the potential to require medical treatment, it should be reported on the Incident or Hazard Report form as soon as possible, and no later than 24 hours after the event. Management will review the applicable insurance arrangements and notify the relevant insurer where required. The results of any investigations or corrective actions will also be summarised on the Incident or Hazard Report Form;

(c) If requested, provide the incident information needed for any applicable insurance claim. Discuss safe duties and a return to volunteering with management and your treating practitioner where appropriate.

Reported incidents or hazards will be investigated by the Company promptly. We will identify the causes and assess any hazards that need to be controlled. Management will discuss the incident with you or any relevant workers to decide on suitable controls needed to eliminate or mitigate any risks in place. Hazard and Risk Identification

Hazard and Risk Identification

The Company has processes in place to identify, assess and control workplace hazards along with measures to review those controls.

If a potential hazard is identified, the manager or worker should report the hazard or risk as soon as possible, regardless of how minor it may seem. Once identified, the severity of the hazard will be assessed and appropriate control measures will be implemented to eliminate or mitigate the hazard. The implemented control measures will be reviewed for effectiveness, and adjusted if necessary. Emergency Evacuation Procedure

Emergency Evacuation Procedure

The Company and management will ensure that volunteers are familiar with the evacuation procedures and the location of any emergency exits.

In the event of an emergency that may impact the Company's premises or the safety of workers, appropriate instructions will be provided.

If an evacuation is announced, workers should leave the building immediately via the nearest emergency exit to the nearest evacuation assembly point, in accordance with the premises’ evacuation plan. At all times you should remain calm and do not run, panic or take any belongings with you while evacuating.

8. Volunteer Privacy Policy

About

The Privacy Act 1988 (Privacy Act) regulates the handling, holding, use, access and collection of personal information (including sensitive information) about individuals. Personal information is information or an opinion about an identified or reasonably identifiable individual.

The Company takes its obligations under the Privacy Act seriously when handling all personal information, including information about volunteers.

Personal information may be collected during your volunteer role, including during the recruitment process.

We collect information relevant to the volunteer role, such as contact details, emergency contacts, availability, training, agreed duties and necessary incident records. Where expenses are reimbursed, we may collect the payment details needed for that purpose.

We may also access or collect any computer, internet, phone, or other records or information that has been created or accessed during the course of your volunteer role using company equipment or resources.

We may also collect information relating to your health or personal circumstances, where this is disclosed and relevant to your role, such as where a nominated treating doctor has disclosed restrictions on a volunteer's ability to perform certain tasks for their safety.

Management of records

We collect personal information to administer volunteer arrangements and provide appropriate support. We retain it only for as long as needed for those purposes or as required by law.

The Company will take all reasonable steps to ensure that any personal information collected is stored in a secure manner, regardless of whether it is collected or stored in electronic or paper format. We will ensure that such information is protected from unauthorised disclosure, and will only share such information for purposes related to the management of your volunteer role circumstances, or where legally required to do so.

You may request access to, including correction where applicable, to any records regarding your volunteer role, unless this would unreasonably impact on the privacy of others, or breach the Company's legislative obligations.

Volunteer Obligations

Volunteers must also take their obligations under the Privacy Act seriously.

You must ensure that you handle any volunteer or client personal information in accordance with the Privacy Act and do not disclose it unlawfully. This includes ensuring that any personal information you encounter during your volunteer role is kept private and used only for a proper purpose.

Breaches of this policy are taken seriously and disciplinary action, including but not limited to termination, may be taken for such breaches.

If you have any questions about this policy or would like further information, please contact Jimmy Goode.

9. Social Media Policy

About

This policy applies to all Company volunteers and any other persons that may be identified as a worker of the company. This includes where your comments, postings or profile can identify you as a volunteer or other worker of the Company, irrespective of whether the Company is named, and occurring at any time, irrespective of whether you are using Company or personal computers, devices or equipment.

Activities on social media should be considered public. Despite the availability of privacy functions on social media, it is possible for content to be shared beyond intended recipients. This policy is for the mutual protection of the Company and its workers and is not intended to prevent, discourage or unduly limit expression of personal opinions or online activities.

Only an authorised representative may manage the Company's social media presence or post on the Company's behalf.

This policy covers, but is not limited to, the sites and services mentioned below, and is also intended to cover any other social media services that are developed in the future:

(a) social networking sites (e.g. Facebook, Instagram);
(b) professional networking services (e.g. LinkedIn);
(c) video and photo sharing websites (e.g. YouTube);
(d) micro-blogging (e.g. Twitter);
(e) forums and discussion boards (e.g. Google Groups);
(f) online collaborations (e.g. Wikipedia);
(g) podcasting;
(h) blogs including corporate blogs and personal blogs; and
(i) blogs hosted by traditional media outlets.

Guidelines for appropriate use of social media

The Company expects that all of its volunteers and any other persons that may be identified as a worker of the Company will uphold the expected level of professional conduct and ethical behaviour when using social media. It is critical that volunteers of the Company exhibit a high standard of professional conduct to maintain public confidence in the Company's operations and reinforce the corporate values of transparency, accountability, respect and responsibility.

To protect your own and our reputation, you must adhere to the following guidelines:

(a) think before you post/publish or share information through such sites;
(b) be thoughtful and show respect for people with whom you interact;
(c) be respectful of the opinions, cultures and beliefs of others;
(d) Be mindful that what you post/publish will be public for a long time and may be available even after you believe you have deleted it. Take care to protect your personal brand and your privacy and understand a platform's terms of service;
(e) Disclose any conflicts of interest that may arise from associations made through social media. This includes when a personal interest could be perceived as influencing the performance of your official duties and responsibilities;
(f) If you post/publish material in your personal capacity where you could be identified as being associated with us, you should include a disclaimer such as "The posts on this site are my own and do not represent the positions, plans or opinions of Kustom Kommune."

Irrespective of any disclaimer, you are responsible for any contributions, comments or posts made to social media in a personal capacity.

(g) You must not at any time:
(i) publish or post material that may be reasonably considered to be offensive, obscene, defamatory, threatening, harassing, bullying, discriminatory, hateful, racist, sexist or homophobic;

(ii) publish or post material that infringes copyright, constitutes a contempt of court, breaches a court suppression order or is otherwise unlawful or in breach of your professional obligations; use or disclose proprietary, commercially sensitive or confidential information;

(iii) mention the names, volunteers, services provided by or work undertaken for any client, customer or supplier of the Company, or share any confidential or personal information obtained as a worker of the Company;

(iv) state or imply that you are authorised to speak on our behalf or state or give the impression that any views you express are the views of the Company, unless you are authorised to do so;

(v) communicate information about the Company, unless you are authorised to do so;

(vi) comment negatively about the Company, including volunteering with the Company; and/or

(vii) respond defensively, engage in or initiate comments which are negative or derogatory about the Company, its directors, its managers, its volunteers or its clients and customers.

Use of social media during volunteer shifts

We encourage the use of social media to showcase your time at the company and the interesting aspects of your role, the people you meet and the incredible motorcycles built by the community.

Ensure that usage aligns with the above and ensure any use of social media is not to impact on the effective performance of your role.

Breaches of this policy

If you are found to have breached this policy, including any inappropriate use of personal, Company-related or other social media outside of volunteer shifts, you may be subject to disciplinary action, including ending the volunteer arrangement. We may also require you to remove posted material that is deemed inappropriate.

If you have any questions about this policy, please contact Jimmy Goode

10. Surveillance Policy

About

The Company reserves the right to conduct ongoing continuous or intermittent surveillance in the workplace and of computer resources. Surveillance of computer resources may occur irrespective of whether resources are accessed or used in the office or off site.

The purpose of such surveillance is to ensure that all property, visitors and workers are safe, secure and that the Company premises, or any Company property is used in an appropriate manner.

General Surveillance

Such surveillance may be conducted using:

(a) Visual recording devices including all types of camera, e.g. CCTV cameras;
(b) Audio recording devices; and/or (c) Electronic recording devices in the workplace.
Where cameras are used, these will be visible and any recording devices including cameras will not be located in change rooms or bathrooms. Such surveillance may be conducted at any time and any worker may be subject to this policy.

The Company reserves the right to use or disclose such surveillance if needed, including CCTV, for disciplinary purposes, or any other reasonable purpose to the extent permitted by privacy legislation.

Computer Surveillance

It should be noted that the home office is considered the ‘workplace’ under work health and safety legislation and is subject to relevant legislative requirements.

We may monitor access to and use of our computer resources, including access to electronic records, internet access and emails sent and received by volunteers, contractors or other workers. Email messages may be monitored by us irrespective of whether they are sent or received from the office, or off-site. Records of calls made using our telephones may also be monitored.

We may, at any time, use anti-virus and anti-spam software or similar systems to block, or attempt to block viruses, spam or any other software which may be considered dangerous to company resources.

We may also block access to certain internet sites or services which may have an adverse effect on network security, or which are considered otherwise inappropriate. If you need access to any of these prohibited sites for genuine business reasons you should contact your supervisor who will arrange access if appropriate.

If you have any questions about this policy, please contact Jimmy Goode.

11. Conflict of Interest Policy

About

All volunteers must ensure that they notify the Company in the event of an actual, potential or perceived conflict between the Company's interests, their own interests, or another party's interests. Conflicts may arise when two or more competing interests are involved which are inconsistent with, or diverge from the interests of another party, such as those of the Company or of the Company's customers. Such conflicts may occur between a volunteer and the Company, between a volunteer and a customer, as well as between volunteers. Any volunteer who breaches this policy or who coerces, encourages or assists another person to breach this policy may be subject to disciplinary action.

Types of Conflicts

A conflict may be actual, potential or perceived:

(a) Actual conflicts refer to an activity, transaction or interest that is currently causing a conflict of interest;

(b) Potential conflicts refer to an activity, transaction or interest that could give rise to an actual or perceived interest, either at the time it occurred or at some time in the future; and/or

(c) A perceived conflict occurs when an activity, transaction or interest could reasonably allow a third party to form the view that a conflict currently exists or may exist at some time in the future. The above types of conflicts are not mutually exclusive and several different types of conflicts may exist at once. A conflict may still exist even when you or another party believes or strives not to be influenced by the conflicting interest or duty.

Some examples of where an actual, potential or perceived conflict may arise includes when:

(a) A manager hires an applicant who is a family member or friend;

(b) A volunteer enters into a purchasing, supply or another contract on behalf of the Company with another entity in which the volunteer holds a financial interest;
(c) A person is required to represent or serve the interests of 2 or more parties whose interests are in conflict;
(d) A person may be a shareholder or have a financial interest in a competing company;
(e) A board member has a duty to a company that conflicts with a duty to another company; or
(f) A person takes on an additional project or role that may lead to them breaching the obligations of their original project or role, such as confidentiality.

Identifying, declaring and reporting conflicts

Volunteers are required to actively consider whether any actual, potential or perceived conflict of interest arises in the course of your volunteer role.

You must declare any conflicts that may affect you or another party that you are aware of to Jimmy Goode and provide an update as soon as reasonable if any relevant circumstances affecting a declared conflict change.

In the event that you feel uncomfortable disclosing an actual, potential or perceived conflict to Jimmy Goode, or where the disclosure relates to this person, please contact another committee member who is not involved in the concern.

Register of Conflicts

Jimmy Goode is responsible for managing conflicts and recording declared conflicts into a register of conflicts. The uninvolved committee member will also be responsible for managing and recording any disclosures made directly to them, where these cannot be disclosed to Jimmy Goode.

The following details regarding each disclosed conflict of interest should be included in the register:

(a) The duties and personal interests that give rise to the conflict;
(b) The circumstances which give rise to the conflict;
(c) When the conflict of interest arose, or in the case of a potential conflict of interest, when the conflict of interest is expected to arise;
(d) The names of all stakeholders who may be affected by the conflict of interest (such as clients, volunteers, managers); and
(e) Any proposed action taken to effectively manage the conflict.

Procedure for managing conflicts

The Company and responsible persons will exercise their discretion in determining the appropriate action required to manage any disclosed conflict of interest.

Reasons for any management action taken, including any later changes to the proposed action taken will be provided.

Some of the factors that may be considered when determining appropriate management action include:

(a) Any available options to resolve the conflict of interest;
(b) The significance and consequence of the disclosed conflict’s likely impact on the Company's business and reputation;
(c) The impact of the proposed management action on the volunteer and any other relevant parties;
(d) Consider the volunteer’s involvement in the decision-making process.
(e) Consider whether another person can carry out the duties affected by the conflict.