

# M\_IMS-002

## Code of Practice



## Table of Contents

|          |   |           |
|----------|---|-----------|
| <b>1</b> | <b>PURPOSE</b> .....                                      | <b>3</b>  |
| <b>2</b> | <b>SCOPE</b> .....  | <b>3</b>  |
| <b>3</b> | <b>LIVING OUR CODE</b> .....                              | <b>3</b>  |
| 3.1      | Breaches of the Code.....                                 | 3         |
| <b>4</b> | <b>HOW WE DO BUSINESS</b> .....                           | <b>4</b>  |
| 4.1      | General .....   | 4         |
| 4.2      | Bribery and Corruption .....                              | 4         |
| 4.3      | Sustainability .....                                      | 5         |
| 4.4      | Environment.....  | 5         |
| 4.5      | Health and Safety .....                                   | 6         |
| 4.6      | Intellectual Property.....                                | 7         |
| 4.7      | Information Systems.....                                  | 7         |
| <b>5</b> | <b>OUR PEOPLE</b> .....                                   | <b>8</b>  |
| 5.1      | General .....   | 8         |
| 5.2      | Workplace Behaviour .....                                 | 8         |
| 5.3      | Equal Opportunities and Diversity.....                    | 9         |
| 5.4      | Fitness for Work .....                                    | 10        |
| 5.5      | Privacy .....   | 11        |
| 5.6      | Modern Slavery .....                                      | 11        |
| 5.7      | Conflict of Interest.....                                 | 12        |
| <b>6</b> | <b>EXTERNAL RELATIONSHIPS</b> .....                       | <b>13</b> |
| 6.1      | General .....   | 13        |
| 6.2      | Gifts, Entertainment and Hospitality.....                 | 13        |
| 6.3      | Charitable Donations .....                                | 14        |
| 6.4      | Supporting Local and Indigenous People and Business ..... | 14        |
| <b>7</b> | <b>QUESTIONS?</b> .....                                   | <b>15</b> |

## 1 PURPOSE

FMS Group (FMS) is committed to the highest level of integrity and ethical standards in all business practices. Employees must conduct themselves in a manner consistent with current community and Company standards and in compliance with all relevant legislation.

The Code of Practice outlines how FMS expects its representatives to behave and conduct business in the workplace on a range of issues. It includes legal compliance and guidelines on appropriate ethical standards.

The objective of the Code of Practice is to:

- provide a benchmark for professional behaviour throughout FMS;
- support FMS' reputation and corporate image within the community; and
- make employees aware of the consequences if they breach the policy.

The Code of Practice is designed to ensure FMS delivers on its commitment to corporate responsibility and sustainable business practice.

## 2 SCOPE

This Code of Practice applies to all FMS Group (FMS) employees and contractors across all aspects of the business.

## 3 LIVING OUR CODE

The Code of Practice is here to help us to understand how we should respond to certain situations while working at or for FMS. The Code is your ethical guide, it will help you make the right decisions to ensure you and the company are protected.

We are all responsible and accountable for our own actions, please take the time to familiarise yourself with the Code of Practice.

You can access our policies and procedures on the company SharePoint or you may request these from your supervisor, this may help you further understand your obligations. However, if you have further queries please discuss these with your immediate Supervisor or Manager.

### 3.1 Breaches of the Code

All FMS employees and contractors are expected to comply with the Code, you should encourage your colleagues to also adhere to the principles.

If you suspect that someone has breached our Code while working for FMS you should report them to your supervisor in the first instance.

If you are unable to speak to your Supervisor about this issue, you should escalate this to the Manager or relevant Senior Management Representative.

If you still feel your concern is not being heard, you should contact the Chief Operating Officer.

Should you wish to anonymously report any breach of “the code” you can contact HR on 0419 632 998 and report your concerns without disclosing your identity.

The Company is committed to ensuring that you are not disadvantaged or discriminated against for reporting unacceptable behaviour in good faith.

Breaches will be reported and investigated in accord with P\_SA-004 HSEQ Event Reporting and Investigation Procedure (and associated Forms).

We take breaches of the Code of Practice seriously. Breaches may lead to a variety of performance management outcomes (in accord with P\_HR-003 Disciplinary Procedure), from further training to potential termination of employment.

## 4 HOW WE DO BUSINESS

### 4.1 General

FMS core work is the provision of fabrication and maintenance services to a growing number of clients in the fabrication, construction and mining sectors located in regional and remote locations throughout Australia and Papua New Guinea.

FMS strives to understand and meet the requirements of the customer, considering and implementing the processes that monitor customer perception and satisfaction. We are committed to effectively delivering quality project outcomes to customers.

How we go about delivering quality project outcomes to our customers is vital to *how we do business*.

### 4.2 Bribery and Corruption

FMS does not take part in or condone corrupt business practices of any kind. This includes business dealings that are illegal, immoral or incompatible with our ethical standards.

Bribery involves offering or providing a benefit to another person or business with the potential to influence a decision or outcome.

FMS does not tolerate bribery or the making of undue payments or kickback of any kinds, to any individual or business.

Always:

- Alert your supervisor or manager immediately if you are ever included in discussions about bribes in your role with FMS or suspect someone you know at FMS is involved in planning of making bribes.
- Report it immediately if a bribe is ever demanded of you or someone you know at FMS – even under threat of any kind.
- Refuse a bribe if offered to you by a supplier or other contact relevant to your role with FMS.
- Ensure you keep records of any business transactions as required by your role as they occur and retain them as long as legally required.

Never:

- Engage in any conversation about, be part of, or directly provide a bribe to anyone in your role at FMS.
- Respond positively to a demand for a bribe from anyone in your dealings at FMS, unless you feel your safety is under threat.

### *Supporting you*

Threats may also include the loss of business. You will not be criticised or penalised for any loss of business resulting from refusing to engage in or alerting management to bribery requests of activity.

## **4.3 Sustainability**

FMS is committed to contributing to a sustainable future through responsible business practices that provide employees with a safe and inclusive workplace, creates value for the communities in which we operate and respects the environment. How FMS Group achieves this objective will evolve through active engagement in innovation, progressive industry 'best practice' and government direction and legislation.

Good corporate governance and risk management practices form the basis on which FMS Group delivers its corporate strategy and sustainability objective.

FMS recognises its moral, and legal, obligation to operate in a safe manner at all times and is committed to supporting the safety of our workforce. Our commitment to the health, safety and wellbeing of our people and our communities is expressed in strong safety leadership, engagement with our workforce and stakeholders, and a continual focus on identifying and managing risks. We also understand we face challenges to maintain and improve our performance, and continuously engage with our people to safeguard against complacency in the workforce.

At FMS Group we safely deliver services that satisfy the needs and expectations of our clients – first time, every time. FMS recognises that it is our people who deliver our services and build trusted relationships to enhance our reputation. Therefore, supporting the wellbeing of our people, attracting, developing and retaining a skilled workforce, and promoting an inclusive and diverse workplace culture are vital to maintaining a competitive advantage and underpinning our future success.

## **4.4 Environment**

FMS embraces the principle of sustainable development, which is development which meets the needs of the present without compromising the ability of future generations to meet their own needs.

Environmental considerations are a factor in making decisions and operating our business. We aim to proactively improve our environmental performance, decrease our environmental risk and comply with regulations.

We are focused on effective management of waste, hydrocarbons and efficient use of non-renewable energy sources.

Always:

- Adhere to our environmental policy and procedures
- Be personally environmentally responsible in your actions. Your thoughtfulness and actions count. For example, turn off unnecessary lights in your workplace and recycle waste.

- Raise suggestions for better ways of reducing, reusing and recycling with your Supervisor.
- Immediately report any environmental issues you become aware of to your supervisor.

Never:

- Ignore the responsibility we all share to consider the environmental impacts of everything we do.
- Be afraid to alert management to any environmental concern, or offer your suggestions for improvement.

For further information refer to M\_IMS-001 Integrated Management System (HSEQ) Manual.

## 4.5 Health and Safety

At FMS, we aspire to 'Zero Harm'. This means that no job is so important that it cannot be done safely. By working together, we can identify and manage risks, always reducing potential for personal injury and illness.

We believe that:

- All accidents are preventable;
- Safety is everyone's responsibility;
- Our behavior as leaders influences safety; and
- Effective risk management is a critical foundation for our success

Each person is responsible for working and performing tasks safely, without risk to themselves or others. All employees are responsible and accountable for workplace health and safety. To ensure everyone can do what is expected of them, training in safety is provided, as are the tools to help you work safely.

Always:

- Advise your Supervisor immediately if you find yourself in a situation which you know or suspect may present a threat to your or someone else's health or safety.
- Report potential hazards, near misses or other health and safety concerns directly to your supervisor. This information is an opportunity for us to eliminate hazards in our workplace before someone is injured.
- Ensure you know how to do your job safely; if you are even unsure or have questions, stop and speak with your supervisor for assistance or further training.
- Ensure you know your obligations with respect to your health and safety and that of your fellow team members.
- Follow work procedures that apply to your role at FMS.

Never:

- Be afraid to stop and ask questions if you are unsure of the task you are doing
- Put yourself in a situation that poses a threat to your health and safety or anyone else's in your role with FMS
- Take short cuts or ignore your job procedures
- Ignore hazards and near miss events.

## *Supporting you*

We ensure that our employees, contractors and visitors all understand their obligations with respect to health and safety. We supply you with the necessary induction, training, resources, facilities and equipment for you to work safely.

Any concerns regarding health and safety or suggestions for improvement raised by you will be taken seriously and actioned as appropriate. Refer to our Incident Reporting and Investigation Procedure.

For further information refer to M\_IMS-001 Integrated Management System (HSEQ) Manual.

## **4.6 Intellectual Property**

There can be serious legal consequences to using intellectual property that belongs to others or sharing intellectual property that belongs to FMS without proper approvals.

FMS is committed to developing new and innovative ways to deliver solutions for our customers. We can only invest in developing new processes, equipment and know-how to do this if we can protect that investment.

Intellectual Property (IP) includes patents, copyright, trademarks and trade secrets. If you create IP of any kind in your role with FMS it remains the property of FMS during and after your employment or engagement comes to an end.

FMS's IP must be treated in exactly the same way as FMS property you can see or touch such as light vehicles, mobile equipment or office equipment.

Always:

- Be aware when you are creating new or using existing FMS IP.
- Be conscious of taking all required steps to protect FMS's IP when discussing or sharing it with other parties such as suppliers or customers.
- Return all IP to FMS once your employment has come to an end
- Be respectful of other parties IP when doing work for FMS.

Never:

- Use IP belonging to anyone else without proper approval
- Use stolen IP such as pirated software at any time in your job with FMS.

## **4.7 Information Systems**

FMS provides a wide range of information systems and technology to support us to do our jobs. These systems, and all of the data stored on them, are FMS property.

Reasonable personal use of company phones and computer systems is generally allowed where they are supplied; however, check this with your supervisor as it does depend on the nature of your role.

It is also important to consider the kind of information you share using FMS's information systems and technology. No one should feel uncomfortable or embarrassed because of what someone else is doing or sharing in the workplace.

Always



- Carefully consider whether your intended personal use of FMS equipment can be considered reasonable. If it takes up too much of your time, has the potential to damage the FMS network or relevant system, is going to incur any additional cost to FMS, is illegal or unethical you should reassess what you are doing.
- Check with your Supervisor if you are unsure about any issue related to your use of FMS information systems and technology.
- Let your supervisor know if you are aware a colleague is viewing or sharing inappropriate material, or is otherwise behaving inappropriately with regards to use of FMS's information systems or equipment.

Never:

- Use FMS information technology systems to view or send inappropriate material internally or externally.
- Be afraid to bring to the attention of management any misuse of FMS information systems or equipment.
- Provide your password to others, including your supervisor.
- Use another person's IT account.

### *Supporting you*

Everyone has the right to feel respected at work. FMS will support you with regard to any issue that may make you feel unsure or comfortable about what is going on in your workplace without fear of consequence. Refer any concern to your supervisor.

We are given access to and can use FMS information systems and equipment to do our jobs. Trust is placed in us to respect that property and be aware of what is acceptable usage in our roles, including any personal usage. If you are ever unsure, speak with your supervisor.

## **5 OUR PEOPLE**

### **5.1 General**

Our vision is to be recognised in the construction, oil & gas and mining sectors as a leader and contractor of choice for fabrication and maintenance services across Australasia.

We recognise that key to achieving this goal is our most valuable asset, our people. We striving to attract, recruit and develop the best people; and create opportunities for you to contribute your skills and knowledge. We believe people perform their best when they are supported by their management team, and are responsible and accountable for their performance and behaviour.

### **5.2 Workplace Behaviour**

We are all responsible for the impact of our own behaviour on our colleagues, customers, suppliers and communities in which we operate.

This policy sets out our commitment towards workplace behaviours, the expected behaviour of all FMS employees and the consequences of not behaving in the appropriate way.



We have minimum behaviour standards which apply and reflect our values and we require that you behave in accordance with these while acting for or on behalf of FMS.

## Always

- Treat everyone in line with our belief that if you show respect you will be respected.
- Behave with integrity and trust, safety, teamwork, being open and transparent and strive for continuous improvement.
- Comply with the law.
- Participate in workplace training.
- Openly participate in workplace investigations with integrity.
- Treat individuals in a non-discriminatory manner in all aspects of employment such as recruitment, compensation/benefits, training, promotion, transfer and termination.
- Speak up if you see inappropriate behaviour or you are unsure what to do talk to your Supervisor or Manager.

## Never:

- Discriminate, harass, verbally abuse, bully, vilify, victimise or act, or threaten to act, violently towards another employee or anyone else.
- Act in a way that is against the law.
- Put up with unlawful or unethical workplace behaviour. If you feel victimised or see this type of behaviour in the workplace, follow the appropriate channels to raise your concerns.

## *Supporting you*

Our commitment is to provide a workplace that is free from discrimination, bullying, harassment, violence and vilification and take steps to prevent inappropriate behaviours.

By making all those people associated with FMS aware of our values, and providing appropriate training, we can all have a profound impact on supporting each other in the workplace.

Refer to Diversity Policy, Workplace Discrimination and Harassment Policy and Disciplinary Procedure.

## **5.3 Equal Opportunities and Diversity**

Respecting others is one of our core beliefs. We value and encourage the contributions of team members with different capabilities, experiences and perspectives.

Ensuring equal opportunity in employment is about treating employees and potential employees fairly and equitably regardless of age, nationality, race, gender, political views, industrial relations activity, employment status, religious beliefs, sexuality, gender history, marital status, pregnancy or potential pregnancy, breast-feeding, carer status or family responsibilities, physical features, personal associations or cultural background.

Everyone at FMS should be treated fairly, with respect and dignity. It is also expected that anyone who acts against this policy is reported.

We recognise every person's right to be, or not to be, a member of or represented by a union or labour organisation, including the option to participate in lawful peaceful assemblies.

At a minimum, FMS complies with all local employment legislation including minimum wages and maximum hours of work, and we endeavour to offer our male and female employees equal pay for equal work.

Always:

- Welcome others in a respectful manner to their work environment without bias based on personal circumstances or attributes.
- Behave with integrity, courtesy and respect for others.
- Complete training provided by FMS in respect of diversity and our equal opportunity standards and practices.
- Bring to the attention of management any actions or behaviour which is not in line with our commitment to equal opportunity at FMS.

Never:

- Show lack of regard or disrespect to anyone based on their personal circumstances or attributes
- Accept or ignore behaviour by others that is in conflict with FMS's view on equal opportunity – whether it applies to you or to someone else at FMS.

Refer to Diversity Policy, Workplace Discrimination and Harassment Policy and Disciplinary Procedure.

## 5.4 Fitness for Work

FMS is committed to ensuring the health and safety of all individuals associated with its operations. All individuals, employees, contractors or visitors, must be 'fit for work' whilst on any site for which FMS is responsible or working on.

Fit for work means that an individual is in a state, physically, mentally and emotionally, that allows them to perform their work competently and in a manner that doesn't affect their or others health or safety. Fitness for work can be affected by a variety of factors, which include fatigue, stress, alcohol or drugs.

Always:

- Present for work in a "fit for work" state that allows you to perform your work competently and safely.
- Avoid inappropriate use of drugs or consumption of alcohol that may interfere with the outcomes of your employment duties.
- Be aware of drinking responsibly at social and business functions where you are representing or are a guest of FMS.
- Speak to your supervisor if you have personal issues that may affect your ability to present for work "fit for work".
- Speak out if you feel a colleague is not in a "fit for work" state. Tell your supervisor so that they do not put themselves or others in danger.

- Ensure you are managing your work and personal commitments to enable adequate sleep, effectively managing your fatigue.

Never:

- Present for work if you are not in a “fit for work” state
- Be under the influence of drugs or alcohol to a level where it could risk injury to any person including you.
- Breach client and FMS site drug and alcohol requirements.

FMS expects all individuals to comply with our Fitness for Work Policy and that of its clients when working on a client site.

## 5.5 Privacy

FMS values the privacy of every individual and we only collect the personal data we require to do business. We take steps to protect personal data we collect and we do not retain personal data for longer than is legally necessary.

Personal data is information relating to an individual who can be identified by that information alone, or in combination with other information that FMS holds.

Always:

- Ensure that you only collect personal information from a person if it is necessary for you to do your job.
- Make sure you only use personal information in a way which is consistent with the reason provided for collecting that information.
- Treat other peoples’ personal information in the same way you would expect your personal information to be treated.
- Ensure that individuals have a genuine opportunity to access and, if necessary, correct any personal data that FMS holds in relation to them.

Never:

- Collect personal information for any reason other than for business purposes and to do your job.
- Allow access to that information by any person/s other than those who need access to that information to do their job.

Refer to our Privacy Policy.

## 5.6 Modern Slavery

FMS are committed to acting ethically and with integrity in our business dealings and relationships and are committed to preventing modern slavery in our own business and to helping prevent modern slavery in our supply chains.

We are also committed to ensuring there is transparency in our own business and in our approach to tackling modern slavery. In line with the Modern Slavery Act 2018, we are outlining the steps we take to tackle modern slavery. We expect the same high standards from all our employees and suppliers.

All forms of criminal activities as defined in the Act, are prohibited at FMS. These include:

- *Slavery*: where ownership is exercised over an individual.
- *Servitude*: involves the obligation to provide service imposed by coercion.
- *Forced and compulsory labour*: all work or service, not voluntarily performed, which is obtained from an individual under the threat of force or penalty.
- *Human trafficking*: involves arranging or facilitating the travel of another with a view to exploiting them.
- *Child labour*: involves the employment of children that is exploitative or is likely to be hazardous to or interfere with a child's education, health (including mental health), physical wellbeing or social development.

In respecting human rights, we show consideration for the rights and interests of our people and others we deal with and treat everyone with respect and dignity.

Always:

- Raise any concerns you have of any behaviour which is in conflict with the principles set out above.
- Ensure you are familiar with FMS's policies related to the principles above.
- Be aware of local labour laws and follow these.
- Respect the rights of others.

Never:

- Employ any person in a country who is not the older of the minimum age of admission to employment or work OR the minimum age for completion of compulsory schooling (in any event FMS will not employ a person that has not yet reached the age of 15).
- Accept any actions which are in conflict with, any of the principles set out above.
- Be afraid to bring any matter which may be a violation of these principles to the attention of your supervisor or manager.

## *Supporting You*

FMS's Senior Management is responsible for ensuring these principles are disseminated and fully understood at every level of the business.

Refer Modern Slavery Policy

## **5.7 Conflict of Interest**

A conflict of interest exists where our personal relationships, participation in external activities or interests in another business influence, or could influence, the decisions we make on behalf of FMS Group. For example, if you had a financial or controlling interest in a supplier of FMS Group it would be a clear conflict of interest to be involved in any decision to offer that supplier any FMS Group work or ongoing contract with FMS.

Every decision we make in our roles at FMS needs to be made fairly and without bias. This is often not possible when we are personally close to something.

A conflict of interest can also occur where you do not personally have a conflict but where a family member could potentially gain from a decision that you may make on behalf of FMS. In this context, family includes your spouse, children, parents, grandparents, siblings, civil partners, step children or grandchildren. In the example above, this would mean that there would still be a clear conflict of interest even if it was one of your family members that had the financial or controlling interest in one of FMS' suppliers – or new supplier being considered for FMS business.

## Always

- Advise your manager immediately if you find yourself in a situation which you have, or think may involve, a potential conflict of interest.
- Be aware of the potential for conflict of interest with regards to your personal relationships outside work.
- Remove yourself from any decision making process for the supplier if you or a family member have an interest in the outcome.

## Never

- Hold a material financial interest or act as a director, officer or employee for any competitor, customer or supplier of FMS, without prior written approval from your Chief Operating Officer. *These situations should be avoided wherever possible.*
- Accept any offer, or gift or other benefit/s that could affect your, or the other person's or organisation's, ability to be impartial or influence a business decision.
- Use FMS funds, facilities, equipment, personnel or know-how to benefit personal or business interests outside the Group without the prior written approval of your Chief Operating Officer.

## Supporting you

FMS takes conflicts of interest seriously and will not tolerate anyone continuing a personal activity or involvement where it compromises decisions taken on behalf of FMS.

We are aware these situations can arise and we will support you if you find yourself in a potential conflict and you take immediate steps to remove yourself from it, and advise your Manager / Chief Operating Officer.

## 6 EXTERNAL RELATIONSHIPS

### 6.1 General

In keeping with our commitment to act ethically and with integrity in all we do, we are open and transparent in how we build our relationships with our customers, suppliers and anyone else we deal with in our roles.

### 6.2 Gifts, Entertainment and Hospitality

We do not offer or accept/ receive gifts, entertainment or other benefits that could affect our ability to make decisions on behalf of FMS objectively, fairly, with integrity and without bias.

This applies to our relationships with customers, suppliers, and anyone else we deal with in our roles. Gifts, entertainment or hospitality of modest value offered by us or to us in the normal course of

business is acceptable where the offer or benefit is an expression of goodwill or thanks and not offered in expectation of a return favour.

Examples might include a business lunch to recognise a business milestone, or accepting a special occasion gift from a supplier acknowledging FMS's ongoing business.

#### Always

- Think carefully and use your best judgement when offering or accepting gifts, entertainment or hospitality in your role with FMS. If in doubt, consider whether the gift would cause embarrassment to you, your relatives, or to FMS if it were reported.
- Check with your supervisor or manager if you are ever unsure about whether a particular offer to/ from you is acceptable to FMS in accord with this Code of Practice.

#### Never

- Offer or accept gifts or other benefits that could affect you or the other party acting appropriately, fairly and without bias in your business dealings and decision-making.
- Offer or accept gifts, entertainment or gratuities with a significant financial value, unless you have discussed this and gained approval from the Chief Operating Officer prior.
- Offer or accept entertainment or hospitality which is or may be perceived by others as unethical or inappropriate.

## 6.3 Charitable Donations

FMS is committed to supporting the communities in which we operate. We make charitable donations and sponsorships to support worthy causes and to give back to our communities.

Donations we make may promote FMS's public image and support the communities we operate in. They are never made with the expectation of any specific favour in return.

#### Always:

- Carefully consider any decision or request to make a donation to any organisation on behalf of FMS.
- Ensure any donation or sponsorship you make on behalf of FMS is approved by the Chief Operating Office prior to giving.

#### Never:

- Make donations to political parties or to any other government officials.

## 6.4 Supporting Local and Indigenous People and Business

FMS is a growing business located in regional and remote locations throughout Australasia. We are committed to supporting those communities where practicable. Our commitment to support locally may apply to:

- local hiring and workforce development,
- local purchasing, and
- use of local service providers.

It is our aim that these strategies will work to increase economic opportunities for local residents and improve quality of life while also; ultimately, meeting service and purchasing needs for our business.

Always:

- Enable full, fair and reasonable opportunity for capable and competitive local industry to participate in the procurement of goods, equipment and services
- Use labour (both professional and operational) from the local community where the requisite skills and experience are maintained.
- Identify, promote and support opportunities for the participation of indigenous workers and indigenous businesses, without compromising safety, project risk or competitiveness
- Commercially evaluate competitive bids giving due consideration to direct and indirect cost factors such as price, quality, safety, environment, delivery, service and whole of life costs

Never:

- Overlook the opportunity to develop win-win relationships with local community groups, whilst ensuring that FMS business needs are achieved.

## **7 QUESTIONS?**

Sometimes you may need to clarify an area of the Code of Practice. You should always speak with your supervisor in the first instance. Your supervisor is supported by your Manager.

Should you need to escalate your question, concern or suggestion you should contact the Chief Operating Officer.