



THE ROYAL AUTOMOBILE CLUB OF W.A. LIMITED

MEMBER CONDUCT POLICY

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Member Conduct Policy



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1. Purpose & Objective

- 1.1. The purpose of this policy is to:
 - (a) set out the acceptable conduct expected of Members when interacting with RAC;
 - (b) establish a process for reviewing and addressing Inappropriate Conduct;
 - (c) establish the procedure for conducting a Committee meeting.
- 1.2. RAC has obligations under the *Work Health and Safety Act 2020* (WA) to provide a safe environment for RAC Staff.
- 1.3. RAC will not tolerate Members who are abusive or threatening to RAC Staff.

2. Scope

- 2.1. This policy applies to the conduct and behaviour of all Members of RAC in their interactions with RAC and RAC Staff.
- 2.2. Interactions include those in person, by email, by telephone or by any other form of communication.

3. Expected Behaviour

- 3.1. Members are expected to treat RAC Staff in a respectful manner.
- 3.2. Members must not take part in any action toward RAC Staff that may constitute harassment, racism, discrimination, victimisation or vilification.

4. Inappropriate Conduct

Inappropriate Conduct by Members is not acceptable to RAC.

- 4.1. The following conduct provides examples of what is not acceptable to the RAC. The list is non-exhaustive:
 - (a) physical assault of RAC Staff;
 - (b) verbal abuse of RAC Staff, or the use of profane, disrespectful or abusive language, in person, in written correspondence or by telephone;
 - (c) threatening to assault, harm or to kill RAC staff;
 - (d) threat to RAC, or threatening to damage RAC property;
 - (e) actual damage of RAC property;
 - (f) compromising the privacy of an RAC Member or RAC Staff;
 - (g) compromising the safety or security of an RAC Member or RAC Staff;
 - (h) accessing non-public areas of RAC premises without the express permission of RAC Staff;
- 4.2. The following conduct provides examples of what is unbecoming of a Member. The list is non-exhaustive:

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- (a) deliberately or carelessly providing misleading or incorrect information to RAC Staff;
- (b) deliberately or carelessly misusing RAC's services;
- (c) conduct threatening or resulting in damage to RAC's reputation;
- (d) failure to comply with a reasonable direction of RAC staff.

5. Roles and Responsibilities

5.1. RAC Staff

- (a) RAC Staff are encouraged to call out Inappropriate Conduct and to inform the Member when the Member displays unacceptable behaviour.
- (b) Where a Member's behaviour continues to be unacceptable after being informed by RAC Staff, a warning will be given to the Member and the interaction may be terminated.
- (c) RAC Staff will notify their leader as soon as possible after experiencing Inappropriate Conduct by a Member, and will inform their leader of any warning issued.

5.2. Member Relations Team

- (a) A leader may refer an incident to the Member Relations Team where that leader is of the view that further action is required, or where there have been instances of repeated Inappropriate Conduct from the Member.
- (b) The Member Relations Team will review escalated incidents. If the alleged behaviour is considered inappropriate after a severity rating has been applied under clause 6, the Member Relations Team will issue a written warning to the Member informing the Member of the alleged Inappropriate Conduct.
- (c) Where the alleged Inappropriate Conduct requires further action due to the severity rating applied under clause 6, the Member Relations Team will refer the matter to the Committee.

5.3. Conduct Review Committee

- (a) The Conduct Review Committee will consist of 5 members, being the Chief Member Officer (or delegate) and 4 General Managers from the RAC as determined by the Chief Executive (or delegate).
- (b) The Committee will:
 - (i) review cases of Inappropriate Conduct;
 - (ii) assess the impact of the behaviour;
 - (iii) apply a severity rating leading to the associated consequences; and
 - (iv) conduct a meeting with the Member, where required.

6. Severity Ratings, Warnings and Consequences

- 6.1. A severity rating will be applied to each incident of Inappropriate Conduct.
- 6.2. The severity rating will be based on the risk to the safety of RAC Staff, or damage to RAC property.

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6.3. Consequences

Members who engage in Inappropriate Conduct may be subject to the following consequences, depending on the severity of the incident:

- (a) receive a verbal warning;
- (b) receive a Formal Warning;
- (c) refusal of RAC services or access to RAC facilities, either with or without conditions;
- (d) suspension of the Member from the RAC;
- (e) expulsion from the RAC.

6.4. Warnings

- (a) Any RAC Staff may warn a Member that an interaction will be terminated, if the Member continues to, or subsequently, behaves inappropriately.
- (b) A Formal Warning may be issued to the Member.
- (c) In cases of serious misconduct, a Formal Warning is not a pre-requisite for the suspension or expulsion of a Member from the RAC.

7. Proceedings of the Committee

7.1. Notice

- (a) Where a Member has displayed Inappropriate Conduct the Committee may convene to determine the appropriate consequences.
- (b) If the Committee intends to issue a notice to a Member under clause [7.1\(e\)](#), until such time as the Committee makes its final decision, the Committee may:
 - (i) withhold all or any of the RAC's services and facilities from the Member to whom the notice is to be given; or
 - (ii) impose upon the Member to whom the notice is to be given, any terms or conditions for any of the RAC's services or facilities as the Committee determines.
- (c) In circumstances where the Committee intend to suspend or expel the Member from the RAC, prior to doing so, the Member must be provided the opportunity to be heard.
- (d) The Committee shall hold a meeting as soon as practicable following the occurrence of the alleged Inappropriate Conduct.
- (e) The Committee must give the Member:
 - (i) 7 days' written notice of the meeting;
 - (ii) a copy of this policy;
 - (iii) details of the alleged Inappropriate Conduct;
 - (iv) the time of the meeting, the place where the meeting will be held and whether the meeting will be held in person or by some other means; and
 - (v) details of how the meeting is to be conducted.

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- (f) The Member may make written submissions to the Committee about the alleged conduct prior to the meeting.

7.2. Meetings

- (a) Committee meetings may be held:
 - (i) in person at RAC's Head Office;
 - (ii) online by MS Teams, or such other platform communicated to the Member; or
 - (iii) by telephone.
- (b) The quorum for the Conduct Review Committee will be three (3) members of the Committee. In the absence of a member of the Committee, the Committee may second another General Manager to the Committee.
- (c) The Member may make oral submissions to the Committee at the meeting, or answer questions from the Committee relating to the matter.
- (d) During the meeting the chair of the meeting has complete authority to keep order and may order the removal of any person for unruly conduct, including a Member in respect of whom the meeting is taking place, or any person attending as that Member's support person.
- (e) If the Member does not attend the meeting (in person or by such other means offered to the Member), the Committee may make a decision in the Member's absence.
- (f) The deliberations of the Committee will be made without the Member being present.

7.3. Support Person

If the Member is present at a Committee meeting:

- (a) the Member is entitled to be accompanied by a friend or family member whose role is a support person for the Member;
- (b) any person accompanying the Member will not have the right to act as the Member's legal adviser, but will be entitled to attend solely to support the Member; and
- (c) any support person of the Member must be 18 years or over and will not be entitled to speak on behalf of the Member (except in extenuating circumstances such as inability of the Member to understand what is discussed at the meeting due to language difficulties or disability or as permitted by the Committee chair).

7.4. Procedure to be followed by the Committee

In making a decision, the Committee:

- (a) is not bound by rules of evidence;
- (b) may act without regard to technicalities and legal formality;
- (c) must ensure the meeting and any decision reach is carried out with procedural fairness; and
- (d) may inform itself of any matter as it thinks fit, which may include:
 - (i) questioning RAC Staff who may have knowledge relating to the alleged Inappropriate

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Conduct;

- (ii) reviewing CCTV footage, telephone calls or correspondence relating to the alleged Inappropriate Conduct;
- (iii) requesting written reports from any person who may have knowledge relating to the alleged Inappropriate Conduct.

7.5. Decision of the Committee

- (a) If the Committee intends to suspend or expel a Member from the RAC, it must first make a decision.
- (b) The Committee shall notify the Member in writing of the Committee's decision as soon as possible after the decision is made and, in any event, within 14 days of the meeting.
- (c) The Committee is not required to give a reason for its decision.
- (d) A decision of the Committee is final, conclusive and binding on the Member.

8. Complaints and Appeal Process

- 8.1. A Member may make a complaint by contacting Member Relations by emailing member.relations@rac.com.au
- 8.2. Where a Member disputes a matter arising from this policy or a decision of the Committee, the Member may appeal to the Chief Executive Officer within 7 days of receipt of the decision. The Chief Executive Officer will make a final determination on the matter within 14 days from receipt of the notice of appeal.

9. Reporting Requirements

- 9.1. RAC Board will receive a regular report detailing those Members who have been expelled from the RAC together with reasons for the expulsion.

10. Review Requirements

- 10.1. This policy will be reviewed by the Committee every 3 years or sooner if required.

11. Definitions

Committee means the Conduct Review Committee.

Formal Warning is a written warning issued by Member Relations advising a Member that continued or subsequent incidents of Inappropriate Conduct may result in suspension or expulsion from the RAC.

Head Office means the RAC building at 832 Wellington Street, West Perth.

Inappropriate Conduct means conduct:

- (a) not acceptable to the RAC;
- (b) unbecoming of a Member; or
- (c) prejudicial to the interests of RAC.

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Member means a member under the Constitution of The Royal Automobile Club of W.A. Limited.

RAC means The Royal Automobile Club of W.A. Limited and its related entities from time to time.

RAC Staff includes employees, contractors and agents of The Royal Automobile Club of W.A. Limited or any related entities from time to time.