



CLUB POLICY

MEMBER CONDUCT

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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, violence, racism, discrimination, victimisation or vilification.
- 3.3. For the avoidance of doubt, the conduct of a Member Associate is deemed to be the conduct of a Member for the purpose of this policy.

4. Inappropriate Conduct

Inappropriate conduct by Members is not acceptable to RAC.

- 4.1. The following non-exhaustive list provides examples of conduct by Members that is not acceptable to the Club:
 - (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) violence or aggression towards other Members or customers at an RAC premises or in relation to the provision of a service by RAC.
 - (e) threat to RAC, or threatening to damage RAC property;
 - (f) actual damage of RAC property;
 - (g) compromising the privacy of a Member or RAC Staff;
 - (h) compromising the safety or security of a Member or RAC Staff;
 - (i) accessing non-public areas of RAC premises without the express permission of RAC Staff;

4.2. The following non-exhaustive list provides examples of conduct that is unbecoming of a Member:

- (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;
- (e) failure to pay for services delivered; theft of RAC property or funds

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. Member Conduct Review Committee

- (a) The Committee's activities are set out in its Terms of Reference which are reviewed from time to time.
- (b) The Committee will consist of 5 members, being the Chief Member Officer (or delegate) and 4 General Managers from the Club (or any of its related entities).
- (c) 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) review submissions from 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.
- 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 Club;
 - (e) termination from the Club.
- 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 termination of a Member from the Club.

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) The Committee shall hold a meeting as soon as practicable following the occurrence of the alleged Inappropriate Conduct.
 - (c) If the Committee intends to issue a notice to a Member under clause 7.1(f), until such time as the Committee makes its final decision, the Committee Chair may:
 - (i) withhold all or any of the Club'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 Club's services or facilities as the Committee determines.
 - (d) In circumstances where the Committee intend to suspend or terminate a membership from the Club, the Member must first be provided the opportunity to provide their evidence or interpretation of events should they wish to do so.
 - (e) The Member may make written submissions to the Committee about the alleged conduct prior to the meeting.
 - (f) Subsequent to a decision to suspend or terminate a membership, the Committee must give the Member:
 - (i) written notice of the Committee's decision;

- (ii) information about the right of the Member to appeal the decision at an Appeal meeting;
- (iii) 7 days for the Member to provide written notice of intention to appeal the decision;
- (iv) a copy of this policy;
- (v) details of the alleged Inappropriate Conduct;
- (vi) 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
- (vii) details of how the meeting is to be conducted.

8. Appeal Process

8.1. Where a Member disputes 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. Alternatively, the Chief Executive Officer may call an Appeal meeting to provide the Member the opportunity to present their case.

8.2. Appeal Meetings

- (a) Appeal 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 Appeal Meeting will be the Chief Executive Officer and three (3) members of the Committee including the Chair.
- (c) The Member may make oral submissions at the meeting, or answer questions from the RAC representatives 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 decision of the Committee stands.

8.3. Support Person

If the Member is present at an Appeal 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).

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

8.5. Decision of the Committee and Appeal Meeting

- (a) If the Committee intends to suspend or terminate a membership from the Club, it must first make a decision consistent with the procedure in 8.4.
- (b) The Committee shall notify the Member in writing of the decision regarding the appeal 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.

9. Reporting Requirements

- 9.1. RAC Board will receive a regular report detailing those Members who have had their membership terminated from the Club together with reasons for the termination.

10. Review Requirements

- 10.1. This policy will be reviewed by the Committee every 2 years or sooner if required.

11. Definitions

Appeal means an appeal by the Member in accordance with the appeal process under clause 8.

Club means The Royal Automobile Club of W.A. Limited ACN 696 098 585.

Committee means the Member 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 Club.

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

Inappropriate Conduct means conduct:

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

Member Associate means any person associated with the Member or engaging with the Club under the



membership of the Member.

Member means a member under the Constitution of the Club and for the purposes of this policy includes Member Associates where the context requires.

RAC means the Club and its related entities from time to time.

RAC Services includes any or all of (but not limited to) RAC Roadside Assistance, RAC Insurance, RAC Auto Services, RAC Finance, RAC Home Services, RAC Parks & Resorts, RAC Travel and RAC Member Benefits.

RAC Staff includes employees, contractors, partners, suppliers and agents of the Club or any related entities from time to time.

Suspension means a member is restricted from accessing RAC Services for a determined period of time. Where the Member holds an active RAC general insurance policy, coverage will continue to be provided until the conclusion of the current policy term but will not be renewed post that coverage period. The Member will also be prevented from purchasing any new general insurance policies while under suspension. During the suspension period the Member is not entitled to vote or hold office.

Termination means that the Member is permanently restricted from RAC Services as defined above.