

## WESTERN AUSTRALIAN INDUSTRY CODE OF CONDUCT

### 1. SCOPE

This code applies to all Code Participants. Code Participants are those members of the Cleaning Council WA engaged in cleaning and associated building services. Those businesses or persons agreeing to be bound by the Code must demonstrate a commitment to observe the provisions to the best of their ability. Membership to Cleaning Council WA implies a willingness to adhere to the Code. The Cleaning Council WA assumes no responsibility over non-members in relation to this Code of Conduct. The Code relates specifically to the manner, effectiveness and efficiency with which participants deal with their clients in relation to their business activities. The Code assumes no responsibility or authority over employer – employee or Cleaning Council WA member – member issues or relationships.

### 2. OBJECTIVE

The purpose of this Code is to promote a commercial environment which safeguards the interest of the industry's clients, while allowing commercial opportunities to prosper. The Code does not replace State or Federal Law governing fair trading, but is intended to provide guidelines to ensure that:-

- Contract specifications minimise ambiguity and maximise clarity regarding the service to be provided.
- Participants maintain a minimum standard of client service and professionalism when dealing with clients in relation to their business activities.
- Enquiries and complaints by clients are handled effectively by Participants.
- In case of disputes not being resolved under the Code, clients have access to an adequate dispute resolution mechanism.

### 3. AGREED PRINCIPLES

#### 3.1 The Specification

Where Code Participants have input into the contract specification, every effort should be made to ensure:-

1. The Specification provides sufficient detail to the client regarding the nature of works to be performed e.g. Vacuum all carpets taking care to vacuum into corners and along edges.

2. The Specification, unless outcome-based, details the frequency at which each task is to be performed e.g. wether daily, 3-times weekly, monthly, annually.
3. The Specification, if outcome-based, provides sufficient detail regarding the expected result of each clean and that is meant by "clean" for each item e.g. After cleaning and sanitizing toilet and hand-basins shall be free of dirt, dust, stains, marks and cleaner residue.
4. The Specifications excludes subjective phrases such as but not limited to, "as necessary" and "when necessary", which may be misleading, ambiguous or deceptive.

### 5. DISPUTE PROCEDURES AND SANCTIONS

#### 5.1 Dispute Settlement Procedure

(See Flow-Chart)

1. Where a client disputes a Code Participants service, they shall first attempt to resolve the dispute with the nominated person within the organization who is responsible for compliance with the Code. The Code Participants nominee will ensure that the Codes Complaint Handling procedures are followed.
2. Where a client cannot resolve a grievance with the person or organisation, they may lodge a formal written complaint to the Executive Director, Cleaning Council WA.
3. Where the client's complaint has been received by the Executive Director, CLEANING COUNCIL WA, and has not been resolved, the client shall be advised of the procedure for perusing the complaint with the Code Administration Committee.
4. Where the Code Administration Committee receives a complaint from a client alleging a breach of the Code, the Committee shall require the relevant Code Participant to respond to the allegation/s in writing or in person within 14 days.
5. Where there is no satisfactory explanation within fourteen (14) days by the Code Participant the Committee will proceed to make a determination on whether or not a breach of the Code has occurred and the remedial action required.
6. Where parties are required or request the opportunity to present their case in person to the Committee neither party shall be represented by a person who is legally qualified unless:-

- a) The party who wishes to be represented by a legally qualified person satisfies the Committee that such representation is necessary in the circumstances and does not disadvantage any other party; and

- b) All parties to the proceedings agree

7. The Committee may seek expert opinion if it deems necessary. Clients and Code Participants shall be informed of these requirements and of expected costs before proceeding.
8. Determinations by the Code Administration Committee shall be in writing and forwarded to both the complainant and the Code Participant within fourteen (14) days of the completion of the determination.

#### 5.2 Remedial Action Process

Where a breach of the Code has been determined the committee, through written notification or written confirmation, will seek remedial action from the Code Participant within a reasonable notified period.

The following remedial actions shall be available to the Conde Administration Committee:-

- Corrective action or conduct by the offending Participant.
- Rectification of defective services.
- Censure offending Participant in writing.

The Committee will be responsible for verifying with the complainant that the rectification procedure has been followed.

Where a Code Participant fails to undertake the Committee's recommended action within the period notified, or in the case of repeated breaches of the Code, the Code administration Committee may recommend to the Executive Committee of the Cleaning Council WA, the suspension or cessation of membership from the Council. The Executive will then vote on and recommend remedial action against the member to the General Membership.

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### 6. CODE REVIEW

The Code Administration Committee shall, every twelve (12) months, review the effectiveness of the Code of Conduct, and report any recommendations for change (if any) in writing to the President of the Cleaning Council WA before the end of each calendar year.

### Dispute Settlement Procedure Flow Chart

