

**CASTLEMAINE & MALDON RAILWAY  
PRESERVATION SOCIETY**

**Operator of the**

**VICTORIAN GOLDFIELDS RAILWAY**

**VOLUNTEERS & MEMBERS  
CODE OF CONDUCT**

**CASTLEMAINE & MALDON RAILWAY PRESERVATION SOCIETY**  
**Operator of the**  
**VICTORIAN GOLDFIELDS RAILWAY (“VGR”)**

**VOLUNTEERS & MEMBERS CODE OF CONDUCT**

**CONTENTS**

- 1. INTRODUCTION**
  - 1.1 Commitment and consultation
  - 1.2 Purpose
  
- 2. VOLUNTEER AND MEMBER RESPONSIBILITIES**
  - 2.1 Behaviour
  - 2.2 Voluntary work
  - 2.3 Fitness
  - 2.4 Attendance and apparel
  - 2.5 Property
  - 2.6 Confidentiality of VGR information
  
- 3. VOLUNTEER AND MEMBER RULES**
  - 3.1 Development of volunteer and member Rules and Standing Instructions
  - 3.2 Notification of Rules, Standing Instructions and VGR Policies
  
- 4. VGR RULES, STANDING INSTRUCTIONS, REGULATIONS, CODES AND POLICIES**
  
- 5. DISCIPLINE**
  - 5.1 Minor Breaches
  - 5.2 Serious or Persistent Breaches
  - 5.3 Penalties
  
- 6. DISPUTE RESOLUTION PROCEDURE**
  
- 7. CONFIDENTIALITY OF CODE MATTERS**
  
- 8. DEFINITIONS**

**SCHEDULE “A”**

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**VOLUNTEERS & MEMBERS CODE OF CONDUCT**

**1. Introduction**

**1.1 Commitment and consultation**

The Castlemaine & Maldon Railway Preservation Society is the operator of the Victorian Goldfields Railway (“VGR”) a tourist railway. The VGR and its volunteers and members are committed to promoting a positive image of the VGR and their professional and proper conduct.

With these aims in mind the VGR has formulated this Code of Conduct (“the Code”) for its volunteers and members.

**1.2 Purpose**

The Code seeks to promote and strengthen the good reputation of tourist railways and the VGR by establishing standards of performance and behaviour for VGR volunteers and members. The primary focus of the Code is to educate volunteers and members on the importance of maintaining appropriate standards and to provide further education, counselling and other assistance to volunteers and members whose conduct does not conform to the appropriate standard.

Subject to any obligations set out within this Code, a VGR volunteer or member is entitled to have his/her privacy including that of his/her family and friends respected whenever possible.

Where a volunteer or member’s conduct attracts some form of discipline under this Code, it is the intention that the VGR Board of Directors representatives shall have regard to the desire to impose Alternative Sanctions (as defined in clause 9 of this Code) rather than monetary forfeitures wherever practicable.

**2. Volunteer / Members Responsibilities**

**2.1 Behaviour**

VGR volunteers and members must aspire to the highest standards of customer service and professional conduct.

VGR volunteers and members must conduct themselves in a manner so as not to bring tourist railways into disrepute.

This clause applies to a volunteer or member’s behaviour which:

- (I) occurs during any time whilst the volunteer or member is undertaking work or service for the VGR; or
- (ii) involves public comment or comments made to other railway organisations or the media; or
- (iii) involves criminal conduct which directly impacts in a material way upon the volunteer or member’s ability to perform his duties for the VGR or impacts upon the reputation of the VGR in any way; or
- (iv) involves the consumption of drugs (including alcohol) which directly impacts in a material way upon the volunteer or member’s ability to perform his/her duty for the VGR or impacts upon the reputation of the VGR in any way.
- (v) involves conduct deemed by the VGR and it’s board of directors in accordance with clause 5 of this Code to be have brought the VGR into disrepute.

CASTLEMAINE & MALDON RAILWAY PRESERVATION SOCIETY  
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VICTORIAN GOLDFIELDS RAILWAY (“VGR”)

**VOLUNTEERS & MEMBERS CODE OF CONDUCT**

**2.2**     ***Voluntary Work***

VGR volunteers or members must not engage or participate in any activity which may cause or aggravate any injury or illness and which prevents VGR volunteers or members from carrying out volunteer work for the VGR to the best of the individual’s ability.

**2.3**     ***Fitness***

VGR volunteers and members must present themselves for all voluntary work on the VGR in an acceptable state of fitness.

An acceptable state of fitness may be determined by the VGR and its Board of Directors.

**2.4**     ***Attendance and apparel***

VGR volunteers and members must (unless granted express permission otherwise or provide an explanation satisfactory to the VGR) attend when rostered for any activity on the VGR and attend punctually all VGR and related events.

All VGR volunteers and members must wear appropriate apparel as specified in the VGR Standing Instructions or as directed by the Board of Directors of the VGR during all VGR activities when carrying out his/her obligations as a volunteer or member.

**2.5**     ***Property***

VGR volunteers and members must show due regard for the property and facilities of the VGR and its staff and the property, facilities and staff of other providers which a VGR volunteer or member may utilise during any authorised activities in which VGR volunteers and members may be engaged.

Where a VGR volunteer and member breaches this provision he or she may be required to pay the relevant person or body an amount equivalent to the cost of repairing or replacing the damage the VGR volunteer and member caused to the property and/or facility.

**2.6**     ***Confidentiality of VGR Information***

VGR volunteers and members must maintain the confidentiality of all material provided in confidence to the VGR volunteer and member. Such material may, without limitation, include details of railway procedure, manuals and records of a confidential nature of the VGR.

**3.**       ***Volunteers and members Rules***

**3.1**     ***Development of volunteer and member Rules and Standing Instructions***

The VGR may provide rules and standing instructions which are supplementary to this Code and do not replace or extend the general obligations of VGR volunteers and members as set out in this Code (“the Rules”).

Such Rules shall only deal with the detailed requirements of the VGR specific to the general volunteer and member set out in clause 2 above.

CASTLEMAINE & MALDON RAILWAY PRESERVATION SOCIETY  
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**VOLUNTEERS & MEMBERS CODE OF CONDUCT**

**3.2** *Notification of Rules, Standing Instructions and VGR Policies*

When the VGR seeks to introduce Rules, Standing Instructions, or Policies it may (in its discretion) seek to outline such Rules, Standing Instructions, or Policies to a meeting of volunteers and members and provide a copy of the Rules, Standing Instructions, or Policies to each volunteer and member prior to such Rules, Standing Instructions, or Policies coming into effect.

**4. VGR Rules, Standing Instructions, Regulations, Codes and Policies**

It is noted that certain obligations are imposed upon VGR volunteers and members and such obligations are set out in Schedule A to this Code.

**5. Discipline**

**5.1** *Minor Breaches*

- (a) Except where clause 5.2 applies, where a VGR volunteer’s or member’s conduct breaches a provision of this Code (including a Rule) the disciplinary action to be taken by the VGR shall be determined by a committee (to be approved by the VGR Board of Directors), or where no committee exists, by the VGR Board of Directors.

Examples of conduct which should be dealt with under this provision include but are not limited to:

- (i) being late for or failing to attend an activity;
  - (ii) missing a function or promotional appearance;
  - (iii) wearing incorrect apparel; and
  - (iv) other conduct of a similar nature or having similar effect.
- (b) In determining the disciplinary action to be taken under the Code the Committee or Board of Directors of the VGR shall take into account the following matters:
- (i) the seriousness of the breach;
  - (ii) whether the offence has been repeated by the volunteer or member; and
  - (iii) the appropriateness of Alternative Sanctions (as defined in clause 8).

CASTLEMAINE & MALDON RAILWAY PRESERVATION SOCIETY  
Operator of the  
VICTORIAN GOLDFIELDS RAILWAY (“VGR”)

**VOLUNTEERS & MEMBERS CODE OF CONDUCT**

**5.2 *Serious or Persistent Breaches***

- (a) Where a breach/es of a provision/s of the Code involves:
- (i) a serious breach of the provisions of the Code;
  - (ii) persistent failures by a volunteer or member to adhere to the provisions of this Code;
  - (iii) public conduct by a volunteer or member that brings the VGR into disrepute;
  - (iv) conduct by a volunteer that may endanger the safety of the public or other volunteers and members;
  - (v) conduct that may result, or resulted, in damage to property of the VGR; or
  - (vi) conduct in breach of the Tourist Railway Rules and General Instructions or the VGR Standing Instructions.

the disciplinary action to be taken by VGR shall be determined by VGR Board of Directors

- (b) In determining the disciplinary action to be taken under the Code the VGR Board of Directors shall take into account the following matters:
- (i) the seriousness of the breach;
  - (ii) the extent to which the VGR volunteer or member’s breach brings the VGR into disrepute;
  - (iii) the volunteer or member’s role in the events that led to the breach and mitigating circumstances (if any);
  - (iv) whether the offence is part of a persistent course of conduct by the volunteer or member;
  - (v) whether the volunteer or member has received any other form of sanction for the conduct; and
  - (vi) the appropriateness of Alternative Sanctions as (as defined in Clause 8).

**5.3 *Penalties***

- (a) The VGR may discipline a volunteer or member for breach of this Code as specified in this Code as follows-
- (i) by the imposition of a fine not exceeding \$100;
  - (ii) by the suspension (not exceeding 6 months) of the person’s membership;
  - (iii) by requiring the person to undergo retraining or to be subject to supervision.
- (b) The VGR may, in its absolute discretion, suspend the imposition of a sanction to be imposed on a volunteer or member for a breach of the Code provided that the VGR gives written notice to the volunteer or member of his or her breach of the Code, details of the intended sanction and the circumstances under which it might be imposed in the future.

**CASTLEMAINE & MALDON RAILWAY PRESERVATION SOCIETY**  
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**VOLUNTEERS & MEMBERS CODE OF CONDUCT**

**6. Dispute Resolution Procedure**

- (a) Before seeking formal review as provided in sub-clause (b) below, the VGR must undertake to fully investigate, consider and, if so requested by the relevant volunteer or member, review its decision to impose a disciplinary measure on a volunteer or member for breach of this Code.
- (b) If such informal review fails to satisfactorily resolve the volunteer or members dispute, the relevant volunteer or member may formally appeal (within 7 days from the date of the VGR’s decision to impose a disciplinary measure) to a Dispute Resolution Panel.
- (c) The Dispute Resolution Panel shall consist of the President of the VGR (or other VGR appointee), a delegate from the VGR membership, and a third party appointed by the VGR.
- (d) The Dispute Resolution Panel must conduct a fresh investigation of the alleged breach by the relevant volunteer or member and form its own view about the appropriate disciplinary measure, if any, to be taken. Its decision must be made within 7 days from the date when the relevant volunteer or member first instituted his/her appeal and must be communicated in writing to the volunteer or member.
- (e) The decision of the Dispute Resolution Panel shall be final and binding on the relevant volunteer or member.
- (f) The time limits set out in this clause may be extended by agreement between the volunteer or member and the VGR.
- (g) For the avoidance of doubt, the intention of this clause and the Dispute Resolution Panel is to include a third party independent of the original decision that has been made in relation to a breach of the Code by a volunteer or member.

**7. Confidentiality of Code Matters**

The VGR and VGR volunteers or members must use their best endeavours to ensure that any matters arising out of or relating to alleged conduct of a VGR volunteer or member in breach of this Code (including but not limited to details of any sanction imposed, unless otherwise mutually agreed between the VGR and the volunteer or member) shall remain confidential and are not disclosed to any third party unless expressly agreed to by the VGR and volunteer or member concerned.

For the avoidance of doubt, all parties agree that the confidentiality intended to be protected by this provision does not preclude the VGR or volunteer or member announcing to a third party that there has been a breach of the Code and that it has been dealt with by the VGR and the volunteer or member and the manner by which it has been dealt with.

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**VOLUNTEERS & MEMBERS CODE OF CONDUCT**

**8. Definitions**

Unless the contrary intention appears, the following words have the meanings set out below:

“Alternative Sanctions” means requiring a VGR volunteer or member to do any one or more of the following in:

- (i) attend a promotional event or VGR activity;
- (ii) provide a community service;
- (iii) specific performance of an activity, service or commitment not normally undertaken by the volunteer or member; and/or
- (iv) attend or perform any other similar event or activity as agreed between the VGR volunteer or member and the VGR.
- (v) attend an education course.
- (vi) undertake work or an activity as directed by the VGR Board of Directors or by a person appointed by the VGR Board of Directors.

“Standing Instructions” shall mean the Standing Instructions as issued by the Castlemaine and Maldon Railway Preservation Society and as amended from time to time.

“Tourist Railway Rules and General Instructions” shall mean the Tourist Railway Rules and Instructions as amended from time to time or subsequent rules issued by the Association of Tourist Railways. The Rules and Instructions are made for the management, operation and maintenance of Tourist Railways who are members of the Association of Tourist Railways Inc. and to define the safe working system of those railways.

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VICTORIAN GOLDFIELDS RAILWAY (“VGR”)

**VOLUNTEERS & MEMBERS CODE OF CONDUCT**

## **SCHEDULE “A”**

### **Racial and Religious Vilification**

VGR volunteers or members must refrain from making any comment that vilifies or tends to vilify persons on the basis of their race, religion, colour, sex, sexual orientation or other related characteristics.

### **Substance Abuse and Alcohol**

VGR volunteers or members must refrain from the taking of illicit and/or performance-enhancing substances and from consuming alcohol whilst undertaking any activity at or in anyway related to the VGR.

### **Public Comment**

VGR volunteers or members must not make adverse public comments concerning the VGR.

### **Respect and Responsibility**

The VGR has a commitment to providing safe and supportive environments for women and the broader community.

### **Harassment**

The VGR does not condone any conduct which constitutes harassment of an individual, customer, volunteer, member or paid staff.

### **Occupational Health and Safety**

The VGR has a commitment to maintaining a safe working environment and to meet its statutory obligations in this regard. In particular the VGR is committed to a cigarette and tobacco smoke free environment inside any of its buildings, carriages, engines and vehicles.

### **Safety Management System**

The VGR has a commitment to its Safety Management System and the Acts and Regulations relevant to its operations.