



Name	HR01 Code of Conduct For Employees
Policy Type	Code of Conduct
Responsible Officer	Chief Executive Officer
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1 Purpose

Council employees must comply with the provisions of this Code in carrying out their functions as public officials. It is the personal responsibility of Council employees to ensure that they are familiar with, and comply with, the standards in this Code at all times.

This Code does not exclude the operation of the *Fair Work Act* or the rights of employees and their Unions to pursue industrial claims, in accordance with the *Litchfield Council Enterprise Agreement*. This code does not affect the jurisdiction of the Industrial Relations Commission.

2 Principles

- Council employees have a commitment to serve in the best interests of the people within the community and to discharge their duties conscientiously and to the best of their ability.
- Council employees will act honestly in every aspect of their work and be open and transparent when making decisions or providing advice to Council.
- Council employees will perform their official duties in such a manner as to ensure that public confidence and trust in the integrity and impartiality of Council is strong.
- Council employees will respect the law, and the resolutions made by the Elected Members.
- The Chief Executive Officer will make reasonable endeavours to ensure that employees have current knowledge of both statutory requirements and best practices relevant to their position.
- Council employees will make reasonable endeavours to ensure that they have such current knowledge of both statutory requirements and best practices relevant to their position as is drawn to their attention by Council.

3 Definitions

For the purposes of this Policy, the following definitions apply:

Council: Litchfield Council

Employee: A person who receives salary from Council for performing specified tasks; may be a volunteer but is not a contractor.

4 Policy Statement

- 4.1 This Code of Conduct outlines the behaviour considered essential to upholding the principles of good governance in Council. A failure to comply with any of these behaviours can constitute a ground for disciplinary action against the employee, including dismissal.
- 4.2 Council employees must also comply with all relevant statutory requirements within the *Local Government Act*, the *Work Health and Safety Act* and other Acts. A failure to comply with these

statutes, as identified within this Part, can also constitute a ground for disciplinary action against the employee.

4.3 General Behaviour

- 4.3.1 Act honestly in the performance of official duties at all times, as required by section 106 of the Local Government Act.
- 4.3.2 Act with reasonable care and diligence in the performance of official duties, as required by section 106 of the Local Government Act.
- 4.3.3 Discharge duties in a professional manner.
- 4.3.4 Act in a way that generates community trust and confidence in the Council.
- 4.3.5 Act in a reasonable, just, respectful and non-discriminatory way when dealing with all people.
- 4.3.6 Ensure that personal interests, including financial interests, do not influence or interfere with the performance of their role.

4.4 Responsibilities as an Employee of Council

- 4.4.1 Comply with all relevant Council policies, codes and resolutions of which they have been made aware, relevant to their particular role.
- 4.4.2 Deal with information received in their capacity as a Council employee in a responsible manner.
- 4.4.3 Endeavour to provide accurate information to Council and to the public at all times.
- 4.4.4 Take all reasonable steps to ensure that the information upon which employees make decisions or actions are based is factually correct and that all relevant information has been obtained and is considered.
- 4.4.5 Not release or divulge information that Council or the Chief Executive Officer has ordered be kept confidential, or that the Council employee should reasonably know is information that is confidential, including information that is considered by Council or the Chief Executive Officer in confidence.
- 4.4.6 Not make improper use of information, including confidential information, acquired by virtue of their position.
- 4.4.7 Ensure that relationships with external parties do not amount to interference by improper influence, affecting judgement, decisions and/or actions.
- 4.4.8 Comply with all lawful and reasonable directions given by a person with authority to give such directions.
- 4.4.9 Only make public comment in relation to their duties when specifically authorised to do so, and restrict such comment to factual information and professional advice.

4.5 Relationships within Council

- 4.5.1 Not make any public criticism of a personal nature of fellow Council employees or Elected Members.
- 4.5.2 Takes reasonable care that their acts or omissions do not adversely affect the health and safety of other persons, as required by the Work Health and Safety Act.
- 4.5.3 Direct any allegations of breaches of the Code of Conduct to the Chief Executive or nominated delegate/s.

4.6 Gifts and Benefits

- 4.6.1 Council employees will at times receive gifts or benefits from external parties. All such gifts and benefits over the value of \$20 are to be registered in the Gifts and Benefits Register maintained by the CEO's office. The CEO and Directors will determine the

appropriate use of the gift or benefit on behalf of Council in such a manner as to reduce the risk it reasonably being perceived to influence staff in carrying out their public duty.

4.6.2 Once registered in the Gifts and Benefits Register, the gift or benefit shall be viewed as having been received by Council as an organisation rather than the employee as an individual. This Register will be available for inspection by the public.

4.6.3 Council employees must not:

- (a) Seek gifts or benefits of any kind.
- (b) Accept any gift or benefit that may reasonably create a sense of obligation on their part or may be reasonably perceived to be intended to or would reasonably be likely to influence them in carrying out their public duty without promptly registering the gift or benefit as in 4.6.1.
- (c) Accept any gift or benefit from any person who is in, or who seeks to be in, a contractual relationship with Council without promptly registering the gift or benefit as in 4.6.1.

4.6.4 Notwithstanding Code 4.6.3(c), Council employees may accept hospitality provided in the context of performing their duties, including:

- (a) Free or subsidised meals, beverages or refreshments of reasonable value provided in conjunction with:
 - i. Council work related events such as training, education sessions, workshops and conferences;
 - ii. Council functions or events; and
 - iii. Social functions organised by groups such as Council committees and community organisations.
- (b) Invitations to and attendance at local social, cultural or sporting events.

4.7 Use of Council Resources

4.7.1 Council employees using Council resources must do so effectively and prudently when undertaking Council work.

4.7.2 Council employees must not use Council resources, including the services of Council staff, for private purposes, unless properly authorised to do so by the CEO or Director, and payments are made where appropriate.

4.7.3 Council employees must not use public funds or resources in a manner that is irregular or unauthorised.

4.8 Complaints

4.8.1 Any person may make a complaint about a Council employee under this Code.

4.8.2 Complaints about an employee's behaviour that is alleged to have breached this Code should be brought to the attention of the Chief Executive Officer of Council, or a delegated person.

4.8.3 Complaints about the Chief Executive Officer's behaviour that is alleged to have breached the Code should be brought to the attention of the Mayor.

4.8.4 A complaint may be investigated and resolved according to the disciplinary processes of Council.

4.8.5 Nothing in this code in any way derogates from the rights of an employee or duties of an employer under the *Fair Work Act*, other legislation, an award, an industrial agreement or contract of employment.

5 Associated Documents

Litchfield Council Human Resources Policies

6 References and Related Legislation

The Code of Conduct policy and principles are underpinned by the following legislation:
Local Government Act, Fair Work Act, Work Health and Safety Act & Litchfield Council Enterprise Agreement.