



EMPLOYEE'S CODE OF CONDUCT

STAFF CODE OF CONDUCT

OBJECTIVE: Clarifies the standards of behaviour that are expected of employees of the Shire of Wickepin in the performance of their duties. It gives guidance in areas where employees need to make personal and ethical decisions.

Conflict of Interest

Employees will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.

Employees will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Shire of Wickepin, without first making disclosure to the CEO. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.

Employees will lodge written notice with the CEO describing an intention to undertake a dealing in land within the municipality or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).

Employees who exercise a recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.

Employees will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti-discriminatory legislation.

Pecuniary Interest

Employees will adopt the principles of disclosure of pecuniary interest as contained within the *Local Government Act 1995 (WA)*.

Disclosure of Interest

Whenever an Employee's interest may be in conflict with their public or professional duty, disclosure must be made promptly, fully and in writing on the Disclosure of Interest form to the CEO. Disclosures must be made in relation to LG ACT 5.60. Any disclosures by an employee must be given to the person presiding at the meeting and its contents brought to the attention of persons present prior to the matter to which the disclosure relates is discussed. The nature of the interest must be recorded in the minutes of the meeting.

In the event that an employee discloses a financial interest, he or she is then required to immediately vacate the meeting.

Use and Disclosure of Confidential Information

Employees will handle all information obtained, accessed or created in the course of their duties responsibly, and in accordance with this Code and the Policy and Procedures manual.

Employees must not access, use or disclose information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially, or to improperly cause harm or detriment to any person, organisation or the Shire of Wickepin.

Due discretion must be exercised by all employees who have access to confidential, private or sensitive information.

Intellectual Property

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Local Government upon its creation unless otherwise agreed by separate contract.

Improper or Undue Influence

Employees will not take advantage of their position to improperly influence Councillors and other employees in the performance of their duties or functions in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

Gifts and Bribery

Employees will not seek or accept (directly or indirectly) from any person or body any immediate or future gift, reward or benefit (other than gifts of a token kind or moderate acts of hospitality) for themselves or for any other person or body relating to their status with the Shire of Wickepin or their performance of any duty or work which touches or concerns the local government.

If any gift, reward or benefit is offered (other than gifts of a token kind or moderate acts of hospitality), disclosure will be made in a prompt and full manner and in writing in the appropriate register.

Personal Behaviour

Employees will:

- Act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code and all policies of the Shire of Wickepin
- Perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour.
- Act in good faith (i.e. honestly, for the proper purpose and without exceeding their powers) in the interests of the Local Government and the community.
- Make no allegations which are improper or derogatory (unless true and in public interest) and refrain from any form of conduct in the performance of their official or professional duties which may cause any reasonable person unwarranted offence or embarrassment.
- Always act in accordance with their obligation of fidelity to the Local Government.

Employees will represent and promote the interests of the Shire of Wickepin while recognising their special duty to their own constituents.

Honesty and Integrity

Employees will:

- Observe the highest standards of honesty and integrity and avoid conduct which might suggest any departure from these standards.
- Bring to the notice of the President any dishonesty or possible dishonesty on the part of any other Councillors and in the case of an employee to the CEO.
- Be frank and honest in their official dealing with each other.

Performance of Duties

While on duty employees will give their whole time and attention to the Local Government's business and ensure that their work is carried out efficiently, economically and effectively and that their standard of work reflects favourably both on them and on the Shire of Wickepin.

Employees will at all times exercise reasonable care and diligence in the performance of their duties being consistent in their decision making but treating all matters on individual merits.

Employees will be as informed as possible about the functions of the Council and treat all members of the community honestly and fairly.

Compliance with Lawful Orders

Employees will comply with any lawful order given by any person having authority to make or give such an order with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the CEO.

Employees will give effect to the lawful policies of the Local Government whether or not they agree with or approve of them.

Administrative and Management Practices

Employees will ensure compliance with proper and reasonable administrative practices and conduct and professional management practices.

Corporate Obligations

Standard of Dress

Employees are expected to comply with neat and responsible dress standards at all times. Management reserves the right to raise the issue of dress with individual employees.

Communication and Public Relations

All aspects of communication by employees (including verbal, written or personal), involving Local Government's activities should reflect the status and objectives of that Local Government. Communications should be accurate, polite and professional.

As a representative of the community, employees need to be not only responsive to community views but to adequately communicate the attitudes and decisions of the Council. In doing so employees should acknowledge that:

- As an employee there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
- Information of a confidential nature ought not be communicated until it is no longer treated as confidential;
- Information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council; and
- Information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.

Relationships between Councillors and employees

An effective employee will work as part of the Council team with the CEO and other employees and Councillors. That teamwork will only occur if Councillors and employees have a mutual respect and co-operate with each other to achieve the Council's corporate goals and implement the Council's strategies.

Use of Shire of Wickepin Resources and Finances

Employees will:

- Be scrupulously honest in their use of Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body.
- Use Local Government resources entrusted to them effectively and economically in the course of their duties.
- Not use Local Government's resources (including the services of Council employees) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so and appropriate payments are made (as determined by the CEO).

Employees are expected to:

- Act responsibly, honestly, integrity and exercise sound judgment with respect to matter involving the Shire of Wickepin finances.
- Use Shire of Wickepin finances only within the scope of their authority, as defined in employee Position Descriptions, and policy 2.1.16 of Council's Policy and Procedure manual.
- Ensure that any use of Council finances is appropriately documented in accordance with the relevant procedures, and within the Shire of Wickepin Recordkeeping Plan.

Travelling and Sustenance Expenses

Employees will only claim or accept travelling and sustenance expenses arising out of travel related matters which have a direct bearing on the services, policies or business of the Local Government in accordance with Local Government policy and the provision of the *Local Government Act 1995 (WA)*.

Access to Information

Employees are to be given access to all information necessary for them to properly perform their functions and comply with their responsibilities as employees.

Employees will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

The objectives of this policy are to provide employees with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability in individual Local Governments.

The Code is complementary to the principles adopted in the *Local Government Act 1995 (WA)* and Regulations which incorporates four fundamental aims to result in:

- Better decision-making by Local Governments.
- Greater community participation in the decisions and affairs of local governments.
- Greater accountability of Local Governments to their communities.
- More efficient and effective Local Government.

The Code provides a guide and a basis of expectations for employees. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibility may be based.

Role of employees

An employee's primary role is to represent the community and the effective translation of the community's needs and aspirations into a direction and future, for the Local Government will be the focus of the employee's public life.

An employee is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its Councillors.

In fulfilling the various roles, employee activities will focus on:

- Achieving a balance in the diversity of community views to develop an overall strategy for the future of the community.
- Achieving sound financial management and accountability in relation to the Local Government's finances.
- Ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns.
- Working with other Governments and organisations to achieve benefits for the community at both a local and regional level.
- Having an awareness of the statutory obligations imposed on Councillors and on Local Governments.

Reporting Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour

Employees may report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour to their supervisor, Manager, the Deputy CEO or the CEO.

In accordance with the Corruption, Crime and Misconduct Act 2003, if the CEO suspects on reasonable grounds that the alleged behaviour may constitute misconduct as defined in that Act, the CEO will notify;

- The Corruption and Crime Commission, in the case of serious misconduct; or
- The Public Sector Commissioner, in the case of minor misconduct.

Employees, or any person, may also directly report suspected serious misconduct to the Corruption and Crime Commission or suspected minor misconduct to the Public Sector Commissioner.

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21/09/2021
22/09/2021