

Code Of Conduct Employee

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LEGISLATIVE PRINCIPLES & CORE VALUES

The Local Government Act 2009 sets out the way in which a local government is constituted and the nature and extent of its responsibilities and powers. The Act requires Council's actions are consistent with the following local government principles:

- (a) transparent and effective processes, and decision-making in the public interest;
- (b) sustainable development and management of assets and infrastructure, and delivery of effective services;
- (c) democratic representation, social inclusion, and meaningful community engagement;
- (d) good governance of, and by, local government; and
- (e) ethical and legal behaviour of councillors and local government employees.

These legislated principles, together with Council's core values, form the basis of this Code of Conduct. They apply to all employees and guide our thinking, actions, and decision-making. The core values that we share as employees of Council are:

Simplicity

We will simplify things for ourselves and our community, and focus our efforts on the things that matter most.

Transparency

We will meaningfully engage with our community in our decision-making processes and in the delivery of our projects, services and infrastructure.

Accountability

We are all accountable for our actions, inactions, professionalism, performance and behaviour which will drive our culture of continuous improvement.

Respect

We will respect each other, our organisation, our community and our environment.

The Public Sector Ethics Act 1994 identifies four ethics principles fundamental to good public administration that guide our behaviour as Public Officials and form the basis for a Code of Conduct. The four principles are:

- (a) integrity and impartiality;
- (b) promoting the public good;
- (c) commitment to the system of government; and
- (d) accountability and transparency.

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4. ETHICAL PRINCIPLES, VALUES AND CONDUCT

4.1 The First Principle – Integrity and impartiality

Public Sector Ethics Act 1994 section 6 states:

“In recognition that public office involves a public trust, public service agencies, public sector entities and Public Officials seek to promote public confidence in the integrity of the public sector and—

- are committed to the highest ethical standards;
- accept and value their duty to provide advice, which is objective, independent,
- apolitical and impartial;
- show respect towards all persons, including employees clients and the general public;
- acknowledge the primacy of the public interest and undertake that any Conflict of
- Interest issue will be resolved or appropriately managed in favour of the public
- interest; and
- are committed to honest, fair and respectful engagement with the community.”

Operationally, for you this requires the following standards of behaviour:

(a) Conflicts of Interest

When making decisions, you must declare any conflicts of interest that could affect your objectivity in carrying out your duties.

A Conflict of Interest involves a conflict between your official duties and responsibilities in serving the public interest and your private interests. A Conflict of Interest can arise from avoiding personal losses as well as gaining personal advantage – whether financial or otherwise. This includes advantages to relatives and friends.

If you believe you have a Conflict of Interest, whether actual, potential, or perceived (See Appendix A for examples), you must tell your supervisor or manager promptly.

You

- must declare any conflict of interest you may have to your supervisor upon becoming aware of the conflict; and
- must make sure you are not part of any decision-making processes related to the matter until the matter is resolved.

If the Supervisor is unsure of the action to take regarding a conflict of interest, they are to refer the matter to their manager. The CEO makes the final determination of whether a conflict exists or not. Where a conflict of interest arises between private interests and the interests of the public, such conflict must be resolved in favour of the public interest.

(b) Influences on decision-making

You

- must not influence any person in an inappropriate way with the aim to obtain personal advantage or favours;
- must not mislead decision makers by providing them with false, biased, incomplete, or inaccurate information;
- must not in any way misrepresent your qualifications, experience or expertise in any recruitment and selection process;

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- All decisions need to be, and be seen to be, fair and transparent, which can be achieved by:
- Following Council's policy documents;
- Clear record-keeping; and
- Documenting the decision-making process.

(c) Accepting Gifts and Benefits

You may be offered gifts/benefits from others. Pursuant to section 199 of the Local

Government Act 2009 it is an offence for an employee to ask for, or accept, a fee or other benefit for doing something as a local government employee. However, this does not apply to remuneration paid by Council or a benefit that has only a nominal value. The acceptance of Gifts or Benefits of a nominal value may be permitted in limited circumstances, however as a rule you must not accept any gifts or benefits if there is a possibility that in doing so, you could create a real, potential, or perceived Conflict of Interest or be seen to be receiving a bribe. (Reference to BSC Gifts & Benefits Policy).

You

- must not accept cash or the transfer of money (including items that may be converted to cash, for example, vouchers, lottery tickets, scratch-it tickets); and
- must politely refuse any gift/benefit which may bring Council's integrity or impartiality
- into question or disrepute if accepting the gift will be perceived as a conflict of interest or a bribe.

The test to apply is whether you could be (not whether you are) influenced by your private interests in carrying out your official duties, or whether people are likely to believe that you could be influenced.

For example, ask yourself if accepting the gift or benefit could suggest that the giver may or would receive favourable treatment.

(d) Employment outside Council

It is not Council's intention to stop people from holding secondary employment over and above your official duties as a Council employee. Approval may be granted for you to undertake private employment outside of your normal working hours as long as the following requirements are met:

- (a) That no Conflict of Interest exists or develops, between private employment and your official duties;
- (b) That your private employment has no effect on the performance of your official duties. This includes effects from a safety/fatigue management perspective;
- (c) That your private employment does not involve use of Council resources (physical, technological, or intellectual);
- (d) You must ensure that your work outside Council continues to meet the above requirements at (a), (b) and (c);
- (e) Pursuant to the Local Government Act 2009 (QLD) s198, where you seek to be employed by more than 1 local government at the same time, approval of each of the local governments is required prior to you being appointed to the second position; and
- (f) Although you do not need written approval, if you undertake voluntary work or a hobby you also need to ensure that these activities meet the above requirements. If you are unsure, you should discuss this with your team leader/supervisor/Manager.

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(e) Public Comments on Council Business

Only the Mayor, CEO and delegated officers are to comment publicly on Council business.

The Mayor can nominate another Councillor to speak to the media on a particular matter. If you are not a delegated officer, you are not to comment publicly on any Council matter unless the CEO has granted prior approval.

If you are asked to comment on any Council matter via the media or other public relations firms, you should first refer to Council's Media policy and/or talk to your supervisor/manager. You must also ensure that to the extent you collect, handle, or give access to personal information, you comply with the Privacy Principles outlined under the information Privacy Act 2009.

(f) Social Media

Council has delegated officers who are responsible for all Council public social media platforms who are the only workers approved to post and respond to comments on behalf of Council.

All employees, contractors and volunteers are not to identify themselves, either intentionally or accidentally as representing Council unless specifically approved to do so by the CEO when contributing to or addressing social networking sites (for example Facebook, Instagram, Tinder, Twitter, Snapchat).

Information published by workers on social media must withstand public scrutiny and be disclosed in a way that does not bring Council into disrepute. You are personally responsible for any social media content published, posted, forwarded, shared, or endorsed in a personal capacity. It is recommended that you do not identify as a worker of Council including posting photographs of yourself in Council's uniform.

As a worker, you must not:

- (a) Share any information, either intentionally or accidentally that you have access to in your position on social media unless it is publicly available;
- (b) Post anything that may affect Council's or the public's trust and confidence of you as a worker;
- (c) Create or distribute any malicious, bullying/harassing, or damaging material; or
- (d) If another person has posted material about/of you or tagged you in a manner likely to cause damage to Council's reputation or bring it into disrepute, you must arrange to have the material removed and report to your manager immediately. Even when posting material that relates to you as a worker and/or impacts on Council's reputation, on your personal social media accounts, you must continue to uphold this Code.

You should also refer to the:

Murweh Shire Council Social Media Policy and Image Use Policy

(g) Advice given to Elected Officials

Councillors may, from time to time, ask local government employees for advice for the purpose of assisting the Councillor carry out their responsibilities under the Local Government Act 2009.

Where requests for advice are made, these must be consistent with the 'acceptable requests guidelines' which has been adopted by resolution of Council. Council employees have a responsibility to provide such relevant advice as requested by a Councillor, and in doing so must ensure that such advice is thorough, responsive, objective, independent, apolitical, and impartial.

Under Queensland legislation, Councillors must not direct staff.

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Where an employee believes that a request for advice by a Councillor is not in accordance with Council's adopted acceptable requests guidelines, you must advise your supervisor or manager immediately.

(h) External Activities

Council supports and is committed to ensuring all staff are free to engage in trade union, party political, professional, interest group or charity activities of their choosing. However, you must make sure that your participation in such activities does not cause either a Conflict of Interest, and/or unduly restricts the performance of your official duties with Council. You must not allow your involvement in any external organisation to intrude upon your duties, as a Council employee, which includes Council's confidence in you to give sound advice to Council that is objective, independent, apolitical and impartial.

You are not to take part in political affairs whilst on duty. Council's IT systems, including internet access and email, Council newsletters and workplaces must not be used for political messages or circulating defamatory or disparaging remarks against individuals, groups or Council itself. If you comment publicly in connection with external activities, you must make a clear distinction between your opinion as a member of the external organisation, and your opinion as a Council employee. You must not use your role in Council, Council information, or information gained in the course of your official duties as a Council employee, to advance your position or standing within an external organisation, nor for the benefit or promotion of an external organisation.

You must not provide Council information to members of other groups or related persons, except where this information is publicly available. As a member of an external organisation, you need to be aware that participating in activities in the public arena, where you may be identified as a Council employee, can give rise to a perception of Conflict of Interest in some circumstances. Where such a situation arises, you must declare and manage the conflict in accordance with this Code of Conduct and any other relevant policy adopted by Council.

If you comment publicly in connection with external activities, you must make a clear distinction between your opinion as a member of the external organisation. You must not give your unauthorised opinion as a Council worker.

(i) Recording Conversations and Activities

As a worker of Council, you are expected to act honestly and truthfully in undertaking your responsibilities and are discouraged from audio or video recording any conversations or activities without the consent of all of the parties being recorded. In exceptional circumstances, the manager may approve the recording, for example to capture/use formal investigation statements and meeting minutes on behalf of Council. It is illegal to record private conversations that you are not directly involved in and in most circumstances, it is illegal to communicate or publish any record of a private conversation that has been recorded with a listening device without the consent of the party to the private conversation.

You should also refer to the:

- *Information Privacy Act 2009;*
- *Invasion of Privacy Act 1971*

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(j) Working with Children and Young People

Council aims to create an environment where everyone feels safe, respected and valued including children and young people. When working with or in proximity of children and young people you are to behave in a way that encourages a secure environment which may include:

- The use of encouraging and positive language;
- Do not swear, yell or use a negative tone;
- Be a positive role model;
- Do not use violent or aggressive behaviour; and
- Do not act inappropriately, specifically in a sexual manner

You should also refer to the:

- Working with Children (Risk Management and Screening) Act 2000;
- Blue Card Services, Queensland; and
- Children and Young Workers Code of Practice Act 2006.

(K) Behaviour Towards Each Other

We must all treat and speak to each other including members of the public with respect, honesty, fairness, sensitivity, courtesy, professionalism, and dignity. Employees who supervise or manage other employees have a special responsibility to model this kind of behaviour, and to ensure that the people they supervise understand the standard of performance and behaviour that is expected of them at work.

Council values diversity, and expects all its employees, contractors, or volunteers to accommodate and respect different opinions and perspectives, and to manage interpersonal disagreements by rational debate. By valuing the difference that all employees bring to the workplace we can better meet the needs of each other as well as the community we serve.

You must not behave towards any other person in a way that could be perceived as intimidating, overbearing, or bullying. You cannot adversely affect the reputation of another employee. Examples of this would include but not be restricted to excluding a staff member unnecessarily, speaking in a gruff and/or aggressive manner, engaging in gossip.

Effective teamwork is an essential part of a productive workplace culture. Each team member needs to work co-operatively with fellow employees and actively and willingly take part in team activities (e.g. meetings).

(l) Non-discriminatory workplace

Council is an equal opportunity employer and as such is proactive in ensuring that its practices do not discriminate based on an attribute, or based on a person's association with another person who maintains an attribute relating to:-

- race/ethnicity;
- gender;
- national origin;
- marital status;
- sexual preference/lawful sexual activity;
- age;
- disability/impairment, including infectious disease;

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- industrial/employment activity;
- physical features;
- pregnancy;
- family responsibilities;
- religious beliefs;
- political conviction;
- breast feeding; or
- gender identity.

As an employee of Council, you have a shared responsibility to ensure that discrimination is not part of our workplace or our practices in dealing with ratepayers and the public. If you witness discriminatory behaviour, you have a positive obligation to report such actions to your supervisor or manager, or if such action involves your supervisor or manager, the CEO.

(m) Workplace Harassment

Council is also committed to the prevention of any form of sexual harassment, victimisation, or other forms of bullying in the workplace, or at any place where work-related activities are performed, including at social functions. This commitment applies to all employees in their relationships with each other, to applicants for employment at Council and to persons who have dealings with Council.

Some examples of behaviour which may constitute either sexual harassment or workplace bullying includes:-

- Acting towards, or speaking to a person in a manner which threatens or vilifies that person;
- Deliberately excluding a particular individual from relevant work related activities or functions;
- Making jokes, suggestive comments or offensive gestures related to a person's race, appearance, colour, ethnic origin, disability, gender, sexual characteristics, or a personal appearance;
- Distribution or display of sexually explicit material (including through email) which may be offensive, including posters, pictures or MPEGs, racist or sexist jokes or cartoons;
- Persistent questions about a person's private life;
- Personal comments about appearance, size, clothing;
- Demands for sexual favours, either directly or by implication;
- Unwanted and deliberate physical contact; and
- Indecent assault, rape, and other criminal offences.

For further information relating to clauses (h), (i), (j) refer to Council's policies on discrimination, sexual harassment, and workplace bullying.

(n) Bad Language

Bad or offensive language within the workplace will not be tolerated. This includes:-

- Using bad or offensive language in your designated work area, including swearing,
- discriminatory language or anything deemed to be socially unacceptable,
- Directing bad or offensive language at a fellow employee, including swearing,
- discriminatory language, anything deemed to be socially unacceptable.

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(o) Presentation and Personal Hygiene

Murweh Shire Council has a general expectation that its team members will dress to a standard that is neat and presentable and which maintains a professional image. For further detail on this standard of dress please refer to Council's Uniform Policy. At all times it is expected that you will comply with the appropriate Personal Protective Equipment required for your role.

4.2 THE SECOND PRINCIPLE – PROMOTING THE PUBLIC GOOD

Public Sector Ethics Act 1994 section 7 states:

"In recognition that the public sector is the mechanism through which the elected representatives deliver programs and services for the benefit of the people of Queensland, public service agencies, public sector entities and Public officials –

- accept and value their duty to be responsive to both the requirements of government and to the public interest;*
- accept and value their duty to engage the community in developing and effecting official public sector priorities, policies and decisions;*
- accept and value their duty to manage public resources effectively, efficiently and economically;*
- value and seek to achieve excellence in service delivery; and*
- value and seek to achieve enhanced integration of services to better service clients."*

Operationally, for you this requires the following standards of behaviour:

(a) Customer service

As a Council employee it is expected that you will strive to provide excellent customer service. You must treat members of the public equitably and with honesty, fairness, sensitivity, and dignity.

All Council employees serve ratepayers directly or indirectly. If your role in Council involves regular contact with the public, it is important to know how to deal comfortably and calmly with difficult situations and difficult people.

Council recognises from time-to-time difficult situations may occur where customers become abusive and threatening. Council does not expect employees to be treated in such an inappropriate manner and does not expect employees to resort to such actions themselves. Council encourages employees to withdraw from the situation and seek the assistance and advice of a senior officer.

You are expected to treat complaints from customers, ratepayers and the community or fellow employees seriously and respond to constructive feedback as an opportunity for improvement.

(b) Fairness to suppliers

Council's contracting activities are regulated pursuant to section 104 of the Local Government Act 2009. Further, Council has established procedures and delegations of authority for various stages of procurement of goods and services which reflect sound contracting principles. You must ensure you comply with sound contracting and follow all Council procedures when seeking suppliers for goods or services.

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If you have been approved to be involved in offering contracts or buying goods and services from outside Council, you must be sure you have taken reasonable, fair and consistent steps to allow all potential suppliers to bid for work.

(c) Public money

You must maintain high standards of accountability if you collect and use public money. You are not to borrow or use Council money for private purposes. This also applies to items such as taxi vouchers or other vouchers.

Officers using Council monies for the purpose of entertainment and/or hospitality expenditure on Council's behalf must do so strictly in accordance with Council's policies on entertainment and hospitality.

(d) Intellectual property

Any original work, invention, or product you have contributed to in association with your official duties as a Council employee remains the property of Council. Similarly, you must not publish or disclose any matters relating to Council's intellectual property without appropriate authority. This does not stop you from sharing with other organisations information relating to your official duties. However, if you do, and if you are unaware of whether such action may breach this Code, you must first seek clarification from your supervisor/manager.

Council employees must not use the intellectual property of any individual or organisation without approval.

(e) Concern for the environment

We all share the responsibility to protect our natural environment, creating healthy surroundings for our community, and for managing the impacts of air, water, land, and noise pollution. This includes individual responsibility for our own actions (e.g. taking care in disposing of waste and using and storing chemicals, reducing energy consumption and waste in our work spaces where we can and applying high standards of environmental protection across the region).

In performing your duties at Council, you must ensure that you comply with your general environmental duty and where applicable, your duty to notify of environmental harm.

4.3 THE THIRD PRINCIPLE - COMMITMENT TO THE SYSTEM OF GOVERNMENT

Public Sector Ethics Act 1994 section 8 states:

(1) In recognition that the public sector has a duty to uphold the system of government and the laws of the State, Commonwealth and local government, public service agencies, public sector entities and Public officials -

- accept and value their duty to uphold the system of government and the laws of the state, the Commonwealth and local government;*
- are committed to effecting official public sector priorities, policies and decisions professionally and impartially; and*
- accept and value their duty to operate within the framework of Ministerial responsibility to government, the Parliament and the community.*

(2) Subsection (1) does not limit the responsibility of a public service agency, public sector entity or Public official to act independently of government if the independence of the agency,

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entity or officials required by legislation or government policy, or is a customary feature of the work of the agency, entity or official.

Operationally, for you this requires the following standards of behaviour:

(a) Acting within the law

As an employee of Council, you are expected to comply with applicable legislation, awards, certified agreements, Council policies and local laws.

You have the right and responsibility to respectfully question how you do your work, particularly if you think there is an imminent risk to the safety of yourself or others, or there is a better way of doing something, or if you think that a direction may be in breach of the law. When you have recorded your suggestion or concern you are required to work as directed by your supervisor or manager, except where there is an imminent risk to safety. If the matter cannot be resolved within the workgroup, it should be immediately referred to your manager.

If you are charged with having committed a criminal offence you must immediately report the circumstances to your supervisor or manager.

(b) Acting in accordance with delegations and signing documents on behalf of Council

If you are requested to undertake an action on behalf of the CEO or Council, prior to exercising any power on behalf of the CEO you must ensure there exists an appropriate delegation pursuant to State or Federal legislation that allows you to exercise the power.

(c) Raising concerns or suggestions for improvement

You have an obligation to follow the principles of natural justice and procedural fairness – the opportunity to be heard; without bias; and the decision must have some basis in fact or reasoning.

You have the right and responsibility to respectfully raise concerns about Council's policies or practices that may impact on your employment including how you do your work, particularly if there is a risk to the safety of yourself or others, there is a better way of doing a task or if you think the direction may be in breach of the law.

You are to raise concerns or grievances in a constructive, reasonable way and act in good faith. Once your concerns are raised you are to work as directed by your supervisor unless the direction is unlawful or a risk to safety. If the matter cannot be resolved within the workgroup, it should be immediately referred to your manager or reported through the chain of command. Concerns related to your employment or other work-related matters are to be raised following Council's grievance or dispute resolution processes.

The CEO is the ultimate decision maker in relation to work related matters. You are not permitted to contact or raise concerns with the Mayor or Councillors in regard to workplace concerns. Dissatisfaction with a CEO decision may be raised through external avenues.

Council's disciplinary process may be applied if an employee knowingly raises vexatious or frivolous complaints.

(d) Confidentiality

Council maintains information about individuals, businesses and commercial issues which are confidential and sensitive, and which could be harmful to a person's interest if released. Employees should only access Council information and records they require to perform their official Council duties.

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Confidentiality must be maintained by:

- not discussing work matters with persons not entitled to know such information including other council employees or councillors;
- taking responsibility to safeguard confidential files and information; ensuring collected information is only used in a manner consistent with the purpose for which it was originally collected;
- ensuring that you maintain privacy relating to Council business including personal
- details of Council staff and community matters; and
- employees only accessing Council information and records they require to perform their official Council duties.

4.4 THE FORTH PRINCIPLE _ ACCOUNTABILITY AND TRANSPARENCY

Public Sector Ethics Act 1994 section 9 states:

In recognition that public trust in public office requires high standard of public administration, public service agencies, public sector entities and public officials –

- *are committed to exercising proper diligence, care, and attention;*
- *are committed to using public resources in an effective and accountable way;*
- *are committed to managing information as openly as practicable within the legal framework;*
- *value and seek to achieve high standards of public administration;*
- *value and seek to innovate and continuously improve performance; and*
- *value and seek to operate within a framework of mutual obligation and shared responsibility between public services agencies, public sector entities and Public Officials.*

Operationally, for you this requires the following standards of behaviour:

(a) Using Council assets

Council's assets include property, plant, equipment, information systems, computing resources, goods, products and/or valuables (this includes surplus material, waste material and off-cuts). All employees share the responsibility for looking after them.

If you are in charge of assets, you must take good care of them while they are in your possession or use, and ensure they are used economically and efficiently. It is an offence to misuse or allow anyone else to misuse Council assets. You must make sure assets are secured against theft and properly stored, maintained, and repaired.

You must ensure that you use Council assets only for official Council business, unless written approval has been granted by your group manager. You must not store personal files on Council's IT assets. Any files stored on, or information accessed using Council assets, are discoverable by Council.

You can use telephones on a limited basis for local calls that you cannot make conveniently outside working hours. If you use Council vehicles or a Council issued mobile telephone, you must ensure that your use is in accordance with Council policy.

Council allows limited personal use of electronic mail and World Wide Web browsing, subject to and in accordance with Council Policy. Limited personal use means use that is infrequent and brief, and is performed during your non-paid time, that is, before and after work or during meal breaks.

Upon your employment terminating with Council, you must return all Council property and work- related documents immediately.

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(a) Diligence, care, and attention

Council aims to conduct its business with integrity, honesty, and fairness and to achieve the highest standards in service delivery. You contribute to this aim by carrying out your duties honestly, responsibly, in a conscientious manner and to the best of your ability. This includes:

- maintaining punctuality and not being absent from your work station/location during work time without reason;
- giving priority to official duties over personal activities during work time;
- ensuring you do not undertake personal work during work time;
- monitor your behaviour and if you become aware that your actions are negatively impacting upon other workers, you must take necessary steps to modify such behaviour;
- helping Council achieve its mission and goals by acting to improve systems and practices;
- conducting yourself in a way so others gain confidence and trust in the way Council does business;
- not allowing your conduct to distract or prevent others from working;
- not exposing Council to a judgment for damages against it, because of your negligence or breach of any law or policy.

If you are responsible for managing or supervising others, you must also ensure that:

- you model the values and principles outlined in this Code and ensure that employees within your area of responsibility understand and comply with the Code;
- you do not come under a financial obligation to any employee you supervise or manage;
- your work and the work of those you supervise contribute to the achievement of Council's goals;
- employee performance is monitored, and individuals are given constructive and regular feedback on their performance in line with procedures;
- where practicable, employees are given training opportunities to assist them in developing their careers;
- employees are provided with information that is vital for effective work performance;
- the opinions of employees are respected and considered;
- workloads are fairly distributed;
- resourcing for a work team is neither excessive nor inadequate for the job;
- employees who collect, handle or disburse public money are properly supervised;
- employee work times, overtime, allowances and absences are correctly recorded on time sheets and pay summary reports; and
- appropriate action is taken if breaches of this Code occur.

(b) Attendance at and absence from duty

You are expected to follow Council employment and working arrangements, agreements, and rulings on attendance at work and leave. This includes not being absent without approval and accurately and truthfully recording work and leave periods.

Absence without approval and without an acceptable reason can create concerns for your safety and lead to unproductive time for others. All employees have an obligation to ensure that they promptly notify their supervisor as soon as practicable upon becoming aware that they are going to be absent from work. Failure to promptly notify your supervisor may result in the non-payment of salary/wages for the period of absence and/or may result in Council taking disciplinary action.

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(c) Self-development

All employees are expected to achieve and maintain a reasonable standard of work performance.

Employees have a continuing responsibility to maintain and enhance your skills and expertise and keep up to date the knowledge associated with your area of work. Council will assist you by providing equitable access to training and development opportunities.

(e) Workplace health and safety

All employees must demonstrate a commitment to always maintaining a safe work environment when conducting business and Council activities.

Employees must take reasonable steps to ensure your own safety, health, and welfare in the workplace. You also have a duty of care to both fellow employees and members of the public. Employees have the following obligations at the workplace:-

- to comply with the instructions given for workplace health and safety at the workplace by Council;
- to use personal protective equipment provided by Council for your use if you have been properly instructed in its use;
- not to wilfully or recklessly interfere with or misuse anything provided for workplace health and safety at the workplace;
- not to wilfully place at risk the workplace health and safety of any person at the workplace; and
- not to wilfully injure yourself

Employees also have a duty to:

- identify hazards and manage risks to health and safety;
- perform all work safely and follow safe work practices;
- report any incidents or hazards immediately and support investigations;
- take corrective action to 'make safe' the workplace, relevant workplace area or work activities and implement improvements; and
- participate in rehabilitation and return to work programs if required

We must keep our workplace drug and alcohol free if we are to maintain the trust and confidence of the broader public and ensure the health and safety of all employees. The use of drugs or alcohol can adversely affect productivity, attendance, and on-the-job safety.

For more information refer to Council's policy on drugs and alcohol.

5. BREACHES OF THE CODE

Council expects all employees to comply with the basic conduct standards in this Code. You must report a suspected breach of the Code.

A breach of the Code damages business effectiveness, public perception of Council and interpersonal work relationships.

Council acknowledges that the majority of its staff are committed to high standards of conduct and is committed to building an ethical workplace to enhance public confidence. Failure to comply with the Code or unethical or corrupt behaviour may result in formal disciplinary action being taken, which may include dismissal.

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6. A PUBLIC INTEREST DISCLOSURE

The Public Interest Disclosure Act 2010 and the Public Sector Ethics Act 1994 aim to create a work environment where public sector employees understand and maintain appropriate standards of conduct. Where you honestly believe on reasonable grounds that you possess information about another Council Officer's conduct that relates to:

- misconduct; or
- maladministration that adversely affects a person's interests; or
- substantial misuse of public resources, other than an alleged misuse based on mere disagreement over policy that may properly be adopted about amounts, purposes or priorities of expenditure; or
- a substantial and specific danger to public health or safety; or
- a substantial and specific danger to the environment you have the right to make a Public Interest Disclosure to a proper authority subject to, and in accordance with, the Public Interest Disclosure Act 2010. Should you wish to make such a disclosure please contact:
- Internal Channels: Chief Executive Officer or Group Managers; or
- External Channels: Crime and Corruption Commission, Anti-Discrimination Commission

7. PUBLICATION

In accordance with the requirements of section 20 of the Public Sector Ethics Act 1994, the Chief Executive Officer will keep a printed copy of the Code available for inspection and Council will publish the Code on its website for all employees to access.

8. TRAINING

Education and training about public sector ethics will be offered at induction and as frequently as the Chief Executive Officer determines.

9. AUTHORITY

In accordance with section 16 of the Public Sector Ethics Act 1994, the following consultation process was followed in development of this Code:

- Internal stakeholders;
- Chief Executive Officer.

10. FURTHER ASSISTANCE

If you read the Code and are still unsure of how it applies to you, it is important that you discuss this with your manager or supervisor. In most cases, they will be able to answer your questions. If you have concerns about approaching any of these people, contact the next most senior person in your area, or the Chief Executive Officer.

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ACKNOWLEDGEMENT

Definitions

APPENDIX A _ DEFINITIONS

Benefit – means something that is similar to a Gift in that it is of value to the recipient, but it is less tangible in nature (e.g. a new job or promotion, preferential treatment, or access to confidential information).

CEO – means the Chief Executive Officer

Code – means the Employee Code of Conduct

Conflict of Interest – means a conflict between a Council employee's work responsibilities and their personal or private interests. A Conflict of Interest can arise from either gaining a personal advantage or avoiding a personal loss. Conflicts of interest can be real (actual), potential, or perceived (apparent).

- An actual conflict of interest involves a direct conflict between a worker's current duties and responsibilities and existing personal interests. For example, you receive an invoice from your relative's construction business as they have been working on a jobsite you are managing. You pass the invoice onto your manager to approve due to a conflict of interest existing.
- A potential conflict of interest arises where a worker has a personal interest that could conflict with their official duties in the future. For example, you are employed to consult to another Council in a similar role. This may cause a potential conflict of interest as the nature of your work is the same
- A perceived conflict of interest can exist where it could be perceived or appears that a worker's personal interest could improperly influence a decision or action – whether or not this is the case. For example, you are on an interview panel and a friend has applied for the position. Due to the perception that you may be biased towards your friend, you discuss with your supervisor who decides to remove you from the panel to eliminate any perceived conflict of interest.

Gift – means an item of value – money, voucher, entertainment, hospitality, travel, commodity, property – that one person gives to another. Gifts may be offered as an expression of gratitude with no obligation to repay or given to create a feeling of obligation. Intellectual property – means an invention, original work, the results of scientific research or a project development, which can be protected.

Public interest – means acting lawfully and in a way that best serves the community as a whole.

Public official – means an employee of Council.

APPENDIX B – A GUIDE TO ETHICAL DECISION - MAKING

The following guide is designed to help you reach an ethical decision based on the relevant facts and circumstances of a situation.

Step 1: assess the situation

- What is your aim?
- What are the facts and circumstances?
- Does it break the law or go against Council policy?
- Is it in line with the Code's principles?
- What principles does it relate to? Why?
- Who is affected? What rights do they have?
- What are your obligations or responsibilities?

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Step 2: look at the situation from Council's viewpoint.

- As a Public official, what should you do?
- What are the relevant laws, rules and guidelines?
- Who else should you consult?

Step 3: how would others see your actions?

- Would a reasonable person think you used your powers or position improperly?
- Would the public see your action or decision as honest and impartial?
- Do you face a Conflict of Interest?
- Will your decision or action stand up to public scrutiny?

Step 4: consider the options.

- Ask your supervisor or manager, or any person who is able to give sound, relevant advice.
- What options and consequences are consistent with Council's values, the five local government principles, the four ethics principles fundamental to good public administration and your obligations?
- What are the costs and long-term consequences of each option?
- How would the public view each option?
- What will be the outcome for Council, your colleagues, others and you?

Step 5: choose your course of action

Make sure your actions are:

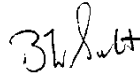
- within your power to take, legal and in line with policy and this Code;
- fair and able to be justified to your manager and the public;
- documented so a statement of reasons can be supplied;
- consistent with Council's mission, goals and values; and
- backed by advice from Council specialists if this is appropriate.

"**Public Sector Ethics**" means the ethics principles as defined in the *Public Sector Ethics Act 1994*.

Version Control

Version No.	Date	Approved	Amendment
1.0	14/01/2025		

Approval

Chief Executive Officer		Bruce Scott	
Date:	14/01/2025	Signature:	



Code Of Conduct Employee

I, _____ of _____

(INSERT NAME)

(INSERT COMPANY OR BUSINESS)

Understand the Murweh Shire Employee Code of Conduct and acknowledge its contents.

Signature: _____

Date: _____