

Policy Name	Employee Code of Conduct
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SUMMARY

Section 106 of the *Local Government Act* requires the Council CEO and other members of staff to maintain proper standards of integrity, diligence and concern for the public interest.

All members of staff are urged to read the Staff Code of Conduct and retain a copy as a personal reference source.

POLICY STATEMENT

1. CODE OF CONDUCT

1.1 Objectives

- To promote the high standard of behaviour that residents and the wider community expect of West Daly Regional Council staff members
- To avoid disciplinary action, penalties and fines.
- The Code addresses in a concise manner the ethical responsibilities of members of staff and encourages a high level of accountability and transparency in Local Government.

1.2 Code of Conduct for Staff

The Council is the sphere of government closest to the people of the region. The actions and behaviour of Council staff is likely to be closely monitored by the local community.

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In performing their roles and functions, the community expects that Council staff will:

- Be committed to ethical behaviour
- Deal with all members of the community honestly, fairly and not offend or embarrass individuals or groups
- Not discriminate against people on the basis of sex, sexuality, marital status, pregnancy, race, physical impairment, intellectual impairment or age
- Be aware of situations that may cause tension between their public and private roles and in such cases give priority to the public role
- Ensure that Council mechanisms are in place to deal promptly and efficiently with the handling of community complaints and concerns.

1.3 Role of members of staff

Staff should generally conduct themselves in a professional manner that reflects community trust and confidence in them as individuals and enhances the role and image of local government. They should be well informed about the roles, functions and processes of their Council.

Council staff in fulfilling their various roles and duties should focus on:

- Knowing their Council and the make up of the community
- Cross-culture competence in all aspects of fulfilling their duties
- Maintaining quality Council services that are efficient and responsive to community needs
- Assisting in the formation of policies and plans
- Implementing policies and plans developed by the Council
- Providing experience and expertise to assist Elected Councillors and Members of Local Authorities
- Being aware of the statutory obligations imposed on officers and staff and on the Council
- Undertaking appropriate professional development activities

1.4 Elected Councillors, Members of Local Authorities and Staff Relationships

Elected Councillors, Members of Local Authorities and staff are required to work effectively together as part of the Council team.

The teamwork of Elected Councillors, Members of Local Authorities and staff must be based on mutual respect and co-operation in order to achieve the Council's goals and implement its policies.

To achieve the teamwork approach, Elected Councillors, Members of Local Authorities and staff need to:

- Develop a mature and constructive working relationship based on mutual trust
- Establish an effective means of communication and be clear regarding the distinction in roles of Elected Councillors, Members of Local Authorities and staff and how they work together for the benefit of the community
- Accept that the Elected Councillors, Members of Local Authorities role is a community representative and leadership one to determine goals and policies
- Observe Council policy and practice regarding the various staff members to approach and to obtain routine reports or other information
- Be aware that Elected Councillors have a right to view and access information relative to matters being considered at Council meetings in order to undertake their Council responsibilities in an effective and appropriate manner.
- Not publicly criticize individuals in a way that casts doubts in their competency and integrity
- Not use their position to improperly influence an individual to gain an advantage for themselves and others

In addition, direction to Council staff is the responsibility of the Chief Executive Officer.

1.5 Communications and Public Relations

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

Information relating to decisions of the Council on approvals or permits should only be communicated in an official capacity by a designated officer of the Council

Do not make public comment on Council or Local Authority policy or decisions (newspapers, television, radio etc.) without the permission of the Chief Executive Officer.

1.6 Usage of Information

Staff members are often provided with information that is required to be handled in a sensitive or confidential manner.

The usage of Council information obtained through their role with the Council for financial or other personal advantage is illegal. Staff members are expected to:

- Observe legal requirements and any specific policies that the Council has on the use of Council information
- Be careful and prudent about how they collect and use confidential or controversial information
- Balance the interests of the community and its right to information with the potential for significant damage to occur if confidentiality is not maintained in relation to information of documents that are likely to be determined by the Council to be confidential
- Not use or disclose information in a way that may:
 - cause significant damage of distress to a person
 - cause significant damage to the interests of the Council or a person
 - cause unfair commercial or financial advantage
- Observe any order made by the Council that a document is to remain confidential until such time as that order ceases to apply.

2. CONFLICT OF INTEREST AND DISCLOSURE OF INFORMATION

2.1 Conflict of Interest

Staff members are to ensure that there is no actual or perceived conflict of interest between their personal interests and the impartial fulfilment of their professional duties.

Staff members will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Council, without first making full disclosure to the Chief Executive Officer

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

An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognized that such convictions are not a basis for discrimination and this is supported by anti-discriminatory legislation.

2.2 Pecuniary Interest

Staff members will adopt the principles of disclosure of pecuniary interest as contained within the Northern Territory Local Government Act.

2.3 Disclosure of Interest

Staff members will disclose at any relevant meeting any interests which has the capacity to be in conflict with their public or professional duties.

3. PERSONAL BENEFIT

3.1 Use of Confidential Information

Staff members are not permitted to use confidential information in which 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 or organization.

3.2 Improper or Undue Influence

Staff members will not take advantage of their position to improperly influence other members of staff 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.

3.3 Gifts and Bribery

Staff members 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 within the Council or their performance of any duty or work which touches or concerns the Council.

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

4. CONDUCT OF STAFF MEMBERS

4.1 Personal behaviour

Staff members will:

- Act and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code

- Do not act in a way that damages the good reputation of the Regional Council or Local Authorities.
- Act in a careful and diligent manner and in the best interests of the whole Regional Council, its Local Authorities and the environment.
- Perform their duties impartially and in the best interests of the Council uninfluenced by fear or favour
- Act in good faith (i.e. honestly), in the interests of the Council and the community
- Make no allegations which are improper or derogatory (unless true and in the 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
- Not be under the influence of alcohol (zero tolerance) or drugs during their hours of employment with the WDRC.

4.2 Honesty and Integrity

Staff members will:

- Observe the highest standards of honesty and integrity and avoid conduct which may suggest departure from these standards
- Bring to the notice of the Chief Executive Officer any dishonesty or possible dishonesty on the part of any staff member
- Be frank and honest in their official dealings with each other

4.3 Performance of Duties

While on duty, staff will give their complete 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 Council

4.4 Legal Compliance

Staff members 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 is unable to be achieved, with the Chief Executive Officer. Staff members will give effect to the lawful policies of the Council, regardless of whether they agree with or approve of them.

4.5 Administration and Management Practices

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Staff members will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices

4.6 Conduct at Council Meetings

Staff members will not:

- Obstruct or interrupt the proper conduct of any meetings
- Use indecent or offensive language
- Make a statement reflecting adversely on the reputation of the Council or any committee of the Council
- Make an intemperate statement reflecting adversely on the character or motives of a member or officer of the Council
- Refuse or wilfully fail to comply with a direction given by the chairperson of the meeting

5. COUNCIL PROPERTY

5.1 Use of Council Property

Staff members will:

- Ensure all Regional Council property (buildings, equipment, computers, and vehicles) can only be used for agreed Regional Council or Local Authority business.
- Be scrupulously honest in their use of the Council's property and shall not misuse or permit misuse by any other person or body
- Use Council property entrusted to them effectively and economically in the course of their duties
- Not use Council property (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment), unless properly authorized to do so

6. TRAVELLING AND SUSTENANCE EXPENSES

Staff members 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 Council in accordance with Council policy and the provision of the Northern Territory Local Government Act.

7. APPOINTMENTS AND OTHER BODIES

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Staff members may be asked to represent the Council on external organizations as part of their community representative or corporate role. Some appointments may be to other government communities or as a Council representative in a particular community interest group.

It is important that Staff members:

- Clearly understand the basis of their Council employment and are aware of the ethical and legal responsibilities attached to such employment
- Are aware of all relevant Council policies
- Balance and represent the interest of the Council and the local community
- Remain objective and not seek to influence the Council so as to give preferential treatment to such bodies
- Provide regular reports to the Council on the activities of the organization
- Inform the Council of any intention to undertake an activity which may interfere with their role

8. COMPLIANCE WITH THE CODE ON CONDUCT

Compliance by staff with these standards of conduct is the responsibility of the Chief Executive Officer.

8.1 Application and Breaches of the Code of Conduct

Where there is an allegation that an employee has breached the Code of Conduct, the CEO or delegate will determine whether the allegation is true taking into account the available evidence and after providing the employee with the opportunity to respond to the allegation.

The CEO may suspend an employee with pay where an allegation of a serious breach of the Code of Conduct has been made where the CEO considers that it would not be appropriate for the employee to continue to attend work while the allegation is being investigated.

There are serious punishments for some breaches of this Code especially those clauses relating to confidentiality.

Similarly the Chief Executive Officer will view most seriously any breaches of this Code of Conduct. Serious breaches may lead to dismissal.

Changes to the Code of Conduct will not be made without first consulting with employees about proposed changes.

TERMINOLOGY AND REFERENCES

REFERENCES

Local Government Act

Work Health and Safety Act

FURTHER INFORMATION:

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