

Shire of **BROOKTON**

Code of Conduct - Employees

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1.0 PRELIMINARY

1.1 TITLE

This is the *Shire of Brookton Code of Conduct for Employees 2019*.

1.2 COMMENCEMENT

This Code comes into operation on 19th December 2019.

1.3 DEFINITIONS

In this Code, unless the contrary intention appears:

“Act” means Local Government Act 1995;

“Bullying” means, without limitation, repeated unreasonable or inappropriate behaviour directed towards a person or a group of persons and that creates a risk to physical or psychological health and safety.

Bullying covers a range of behaviours which can be physical, verbal, written or online and can involve range of different behaviours over a period of time. Bullying is covered by legislation and Shire definition;

“Shire” means Shire of Brookton;

“CEO” means the Chief Executive Officer of the Shire;

“committee” means a committee established by the Council under the Act;

“committee member” means a member of a committee who is appointed by the Shire under the Act;

“Council” means the Council of the Shire;

“elected member” has the same meaning as “member” in the Act;

“employee” means a person employed by the Shire under section 5.36 of the Act.

“policy” means any policy or approved operating practice of the Shire.

1.4 APPLICATION

- (1) This Code applies to employees.
- (2) This Code does not apply to any elected member or to any member of a committee who is not an employee.

1.5 REQUIREMENT FOR THIS CODE

This Code is prepared by the Shire as required by section 5.103 of the Act.

1.6 PREVIOUS CODE

The Code of Conduct for both Elected Member and Employees adopted by the Council on 17th November 2017 and in operation immediately prior to this Code is replaced by this Code for Employees only. There are now two Codes of Conduct – Elected members and Shire of Brookton Employees as required by the Act.

2.0 OBLIGATIONS OF EMPLOYEE

2.1 GENERAL PRINCIPLES

The local community and the public in general are entitled to expect that the following general principles should be used to guide employees in their behaviours:

- (a) act with reasonable care and diligence;
- (b) act with honesty and integrity;
- (c) act lawfully;
- (d) avoid damage to the reputation of the Shire of Brookton;
- (e) be open and accountable to the public;
- (f) base decisions on relevant and factually correct information;
- (g) treat others with respect and fairness; and
- (h) not be impaired by mind affecting substances

2.2 GUIDING VALUES

Conduct and behaviour will be consistent with the Shire's vision statement and guiding values as adopted by the Council from time to time:

Note: The Shire's vision statement and guiding values are set out below:

Vision Statement

BROOKTON is
a **well-recognised** business and agricultural hub,
a **flourishing** stop-over destination, and
a **celebrated** place to live.

Mission

To Sustain the Balance of BROOKTON+
To Build a Bigger Better BROOKTON

Values

Courage

Determined to make a difference through questioning, challenging and building resilience:

- Inspire others through our actions.
- Believe in what we do and how we can make a difference.
- Lead by example and uphold our values.
- Speak up, ask questions and be open to other people's ideas.
- Having the ability to adapt to current and future circumstances.

Connected

Engaging the community through collaboration, understanding and inclusiveness:

- Work together to create better outcomes for the community.
- Listen, value and understand each other.
- Foster strong relationships with our colleagues and the community.
- Striving to be inclusive and to continually understand what the community needs.

Innovative

Embracing ideas and opportunities to shape an inspiring, diverse and dynamic community:

- Adaptable and welcome change.
- Make informed decisions that move our community forward.
- Encourage the sharing of ideas.
- Strive to find new and better ways to serve the community.

Integrity

Upholding and protecting our community through honesty, fairness and empathy:

- Act ethically, honestly and responsibly to engender trust.
- Honour our commitments and responsibilities.
- Protect our community, environment, lifestyle and history.
- Stay true to the community and our unique identity.

Excellence

Striving to deliver on our individual roles to make a difference in our Community Services and Infrastructure Projects.

- We are accountable for all our actions
- Work together to achieve common goals
- Reflect, learn and improve upon our achievements
- Striving to provide exceptional levels of service
- Using the resources available for the benefit of the community as a whole

2.3 DEMONSTRATING LEADERSHIP

Employees will observe the Shire of Brookton's values and apply them in all that they do and promote these values to others. All Shire staff should be familiar with the Community Strategic Plan and the broader Integrated Planning and Reporting (IPR) process.

2.4 SERVING THE PUBLIC INTEREST

An employee will take action and make decisions to serve the interests of the community without any benefit or perceived benefit to themselves.

Applying this principle means:

- a) checking for any conflicts of interest;
- b) assessing any conflicts of interest;
- c) making it known when there is a conflict of interest; and
- d) disengaging from any action or decision making where you have an actual or perceived conflict of interest.

2.5 PERSONAL BEHAVIOUR

An employee will:

- a) Act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
- b) Perform his or her duties impartially and in the best interests of the Shire;
- c) Act in good faith and fidelity in the interests of the Shire and the community;
- d) 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 the employee's role, which may cause any reasonable person unwarranted offence or embarrassment;
- e) Always act in accordance with the employee's obligation of fidelity and loyalty to the Shire and not publicly reflect adversely upon any decision of the Council or the Shire's management;
- f) Not publicly reflect adversely upon any decision of the Council or the Shire's management; and
- g) Represent and promote the interests of the Shire.

2.6 HONESTY AND INTEGRITY

An employee will:

- a) Observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- b) Be frank and honest in the employee's dealings with other employees, elected members and committee members; and
- c) Endeavour to resolve conflict through initial discussions.

2.7 PERFORMANCE OF DUTIES

An employee will:

- a) Strive to ensure that his or her standard of work reflects favourably both on the employee and the Shire's business;
- b) Strive to ensure that his or her standard of work is in accordance with the intent of any Service Delivery Standards;

- c) While on duty, give their whole time and attention to Shire business and ensure that their work is carried out efficiently, economically and effectively; and
- d) Observe the respective roles of the Council, CEO and employees are as set out in Attachment A.

2.8 OUTSIDE EMPLOYMENT

An employee will:

- a) Outside employment refers to a situation where a person works for the Shire but also engages in paid or unpaid work for another organisation (private or public) or voluntary work. It includes operating a private business and providing paid consultancy services as well as partnerships and directorships of companies.
- b) Carefully consider whether their employment with an organisation offering them outside employment may adversely affect the performance of their Shire duties and responsibilities, the reputation of the Shire or may give rise to a conflict of interest.
- c) Prior to engaging in any outside employment or other professional activity an employee will seek advice from his/her Manager, and if considered necessary the approval of the CEO.

2.9 COMPLIANCE WITH LAWFUL ORDERS AND POLICIES

An employee will:

- a) Comply with any lawful order given by any person having authority to make or give the order, with any doubts as to the propriety of the order being taken up with the superior of the person who gave the order.
- b) Give effect to the lawful policies and procedures of the Shire, whether or not the employee agrees with or approves of them.

2.10 STANDARD OF DRESS

An employee is to adhere to neat, responsible and culturally sensitive dress standards at all times and will dress in a manner appropriate to his or her position in particular when attending meetings or representing the Shire in an official capacity.

Similarly, an employee where necessary under the requirements of Occupational Health and Safety where appropriate protective clothing in the performance of their duties.

2.11 ADMINISTRATIVE AND MANAGEMENT PRACTICES

An employee will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices, and adhere to the lawful direction given by their supervisor, direct line manager and/or the CEO.

2.12 CONFLICT OF INTEREST

An employee will:

- a) Where practical, ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties for the benefit of the Shire.
- b) Make appropriate disclosures before dealing with relatives and close friends or others where there may be a perception that there is bias in the decision making.
- c) In the exercise of a recruitment function or a function involving the exercise of discretion will make disclosure before dealing with any relative or any friend and the employee is to disqualify himself or herself from dealing with that person to avoid the perception of bias in the decision making process.
- d) Not engage in private work with or for any person or body with an interest in a proposed or current contract with the Local Government, without first making a disclosure in line with the adopted procedure. 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.
- e) 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.
- f) Comply with the Local Government (Functions and General) Regulations 1996, in any instance where they are involved in any manner with tendering for a Council contract. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of public duties must be scrupulously avoided.
- g) Advise their Manager if a conflict of interest is likely to occur in the performance of their duties on a specific task. Once an interest is declared, discussions will be held to determine if it is appropriate for the employee to continue in the role and take necessary steps to avoid a conflict of interest.
- h) In having an interest, whether financial or not, in a matter before the Shire or a matter which they have reason to believe will be brought before the Shire:
 - i. Disclose their interests in the matter when seeking information and seek the information by written request;
 - ii. Not seek to obtain access to documents or to use the resources of the Local Government directly or indirectly;
 - iii. Not seek direct access to an employee dealing with the matter in a manner that would not be available to members of the public; and
 - iv. Not seek to influence other employees in dealing with this matter.

2.13 DISCLOSURE OF INTERESTS AFFECTING IMPARTIALITY

- 1) In this clause **"interest"** means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.
- 2) A person who is an employee and who has an interest in any matter to be discussed at a Council or Committee meeting attended by the person will disclose the nature of the interest:
 - a) In a written notice given to the CEO before the meeting; or

- b) At the meeting immediately before the matter is discussed.
- 3) A person who is an employee and who has given, or will give, advice in respect of any matter to be discussed at a Council or Committee meeting not attended by the person must disclose the nature of any interest the person has in the matter:
 - a) In a written notice given to the CEO before the meeting; or
 - b) At the time the advice is given.
 - 4) Subclauses (2) and (3) do not apply to an interest referred to in Section 5.60 of the Act.
 - 5) A person is not required under subclauses (2) or (3) to disclose the nature of an interest if:
 - a) The person's failure to disclose occurs because the person did not know he or she had an interest in the matter; or
 - b) The person's failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.
 - 6) If, to comply with a requirement made under subclauses (2) or (3), a person who is an employee makes a disclosure in a written notice given to the CEO before a meeting then:
 - a) Before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - b) Immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.
 - 7) If, to comply with a requirement made under subclauses (2) or (3), a person who is an employee makes a disclosure in a written notice given to the CEO before a meeting then:
 - a) To comply with a requirement made under subclause (2), the nature of a person's interest in a matter is disclosed at a meeting; or
 - b) A disclosure is made as described in subclause (5) (b) at a meeting; or
 - c) To comply with a requirement made under subclause (6) (b), a notice disclosing the nature of a person's interest in a matter is brought to the attention of the persons present at a meeting, the nature of the interest is to be recorded in the minutes of the meeting.

2.14 SECURING PERSONAL ADVANTAGE OR DISADVANTAGING OTHERS

An Employee will not make improper use of the employee's office, including assigned equipment (ie computer, digital devise, motor vehicle, etc):

- a) To gain directly or indirectly an advantage for the employee or any other person; or
- b) To cause detriment to the Shire or any other person.

2.15 COMMUNICATIONS AND PUBLIC RELATIONS

- 1) Employees acknowledge that, unless otherwise authorized, statements to the media on behalf of the Shire are only to be made by the Shire President unless delegated to another person within the organization (ie CEO).
- 2) All aspects of communications by employees involving the Shire’s activities should be accurate, polite and professional and must reflect the status and objectives of the Shire.
- 3) Employees acknowledge that the Shire is committed to the principle of building a sustainable and successful partnership with the Community, of which community consultation is an integral component.

2.16 RELATIONSHIP BETWEEN EMPLOYEES, COMMITTEE MEMBERS AND ELECTED MEMBERS

- 1) Wherever possible employees must demonstrate professionalism and cooperate with other employees, elected members and committee members to achieve the Shire’s corporate goals and implement the Shire’s strategies.
- 2) Employees will recognize that committee members and elected member’s views and opinions reflect viewpoints that should be considered in conjunction with professional opinion. Employees will therefore make every effort to assist committee members and elected members in the performance of their role, and to achieve the satisfactory resolution of issues that members may raise in the performance of their official role.
- 3) Employees should refrain from publicly criticizing elected members, committee members or employees in a way that casts aspersions on their professional competence and credibility.
- 4) It is appropriate for elected members to direct requests for information to the CEO, Directors of the Business Unit Manager. Employees are justified in requesting Elected Members to adhere to this process.

2.17 USE OF THE SHIRE’S RESOURCES

An employee will:

- a) Be honest in his or her use of the Shire resources and must not misuse them or permit their misuse;
- b) Not use the Shire resources (including the services of the Shire’s Employees) for private purposes, unless properly authorized to do so, and appropriate payments are made (as determined by the CEO or other Senior Officer); and
- c) Ensure that all communication aids and support equipment provided to them by the Shire of be utilized in accordance with the Shire policies.

Nothing in subclause (1) (a), (b) or (c) precludes employees from reasonable personal use of their Shire supplied telephone and email system.

2.18 GIFTS

- 1) In this clause:

“Activity involving a local government discretion” means an activity:

- a) that cannot be undertaken without an authorisation from the Shire; or
- b) by way of a commercial dealing with the Shire;

“Gift” has the meaning given to that term in section 5.82(4) of the Act except that it does not include:

- a) a gift from a relative, a relative being defined in section 5.74(1) of the Act; or
- b) a gift that must be disclosed under regulation 30B of the *Local Government (Elections)*

Regulations 1997;

- c) a gift from a statutory authority, government instrumentality or nonprofit association for professional training;

“Notifiable gift”, in relation to a person who is an employee, means:

- a) a gift worth between \$50 and \$300; or
- b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth between \$50 and \$300;

“Prohibited gift”, in relation to a person who is an employee, means:

- a) a gift worth \$300 or more; or
- b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.

- 2) A person who is an employee must not accept a prohibited gift from a person who:
 - a) is undertaking or seeking to undertake an activity involving a local government discretion; or
 - b) it is reasonable to believe is intending to undertake an activity involving a local government discretion.
- 3) A person who is an employee and who accepts a notifiable gift from a person who:
 - a) is undertaking or seeking to undertake an activity involving a local government discretion; or
 - b) it is reasonable to believe is intending to undertake an activity involving a local government discretion.

will within 10 days of accepting the gift notify the CEO of the acceptance in accordance with subclause (4)

- 4) Registration of a notifiable gift is to be in writing and include:
 - a) the name of the person who gave the gift;
 - b) the date on which the gift was accepted;
 - c) a description, and the estimated value, of the gift;
 - d) the nature of the relationship between the person who is an Employee and the person who gave the gift; and
 - e) if the gift is a notifiable gift under paragraph (b) of the definition of “notifiable gift” in subclause (1) (whether or not it is also a notifiable gift under paragraph (a) of that definition):
 - i. a description; and
 - ii. the estimated value; and
 - iii. the date of acceptance,of each other gift accepted within the 6 month period.

- 5) Employees acknowledge that the details registered with CEO in accordance with subclause (4) will be entered on the register of notifiable gifts which is maintained by the CEO.

- 6) Employees will not solicit (either directly or indirectly) any immediate or future gift, reward, donation, hospitality or benefit for themselves or for any other person or body as a result of their employment with the Shire.

- 7) Employees will;
 - a) always exercise sound judgment when deciding whether or not to accept a gift or other benefit;

- b) never create the impression that the Shire or any of its officers is being influenced by any person or organisation;
 - c) never accept any gift of money or items easily converted to cash.
- 8) Employees acknowledge that accepting gifts can undermine the Shire's impartiality which may affect the public's perception of the integrity and independence of the Shire and its employees.
- 9) Employees must take all reasonable steps to ensure that gifts or benefits that give rise to the appearance of being an attempt to secure favourable treatment are not received by their immediate family members or by any other person that may create an impression of an attempt to influence the employee's judgement. Ordinarily immediate family members include parents, spouses, de facto partners, children and siblings who are living with the employee.

2.19 TRAVEL AND SUSTENANCE EXPENSES

Employees will only claim or accept travel and sustenance expenses arising out of travel-related matters which have a direct bearing on the services, policies or business of the Shire in accordance with Shire policies and the provisions of the Act.

2.20 RECORD KEEPING

- 1) Employees will use all reasonable efforts to ensure that file notes are drafted and placed on record following discussions on issues of substance.
- 2) Employees will ensure all decisions made and actions taken as officers of the Shire are transparent and capable of review. All official records created by employees are to be registered, stored and disposed of in accordance with record-keeping legislation and policy as may be in force from time to time.
- 3) In particular Employees are expected to;
 - a. Record their actions and decisions to ensure transparency;
 - b. Ensure the secure storage of sensitive or confidential information;
 - c. Understand their recordkeeping responsibilities;
 - d. Understand records management procedures;
 - e. Be familiar with and follow the Shire's record keeping principles and practices;
 - f. Be aware of and follow the Shire's electronic recordkeeping advice; and
 - g. Understand that records may only be disposed of in accordance with approval disposal authorities and may not be removed from records systems or altered without authority.

2.21 ACCESS TO INFORMATION

Employees will assist elected members and committee members in obtaining access to information necessary for them to properly perform their functions and comply with their responsibilities.

2.22 CONFIDENTIAL INFORMATION

During their employment and upon ceasing employment with the Shire, employees will not;

- a) Remove from the Shire's care and control the Shire's resources such as documents, materials, manuals or other information or equipment. These items remain the property of the Shire; or

- b) Disclose verbally or otherwise information gleaned during the course of their employment by the Shire, other than information which is publically available.

2.23 FREEDOM OF INFORMATION ACT 1992

Employees acknowledge that:

- a) The *Freedom of Information Act 1992* was introduced to facilitate public access to documents and an application can be made seeking access to any information held by the Shire;
- b) An object of the *Freedom of Information Act 1992* is to “*make the persons and bodies that are responsible for State and Local Government more accountable to the public*”; and
- c) An Employee will assist the Shire’s CEO and the Shire’s Freedom of Information officers in locating documents relevant to an application made under the *Freedom of Information Act 1992*.

Note: Information provided by the Public Sector Commission concerning public interest disclosures is available on their website www.publicsector.wa.gov.au.

2.24 HARASSMENT AND DISCRIMINATION

An employee will not harass, discriminate against (within the meaning of relevant legislation), or support others who harass and discriminate against colleagues or members of the public.

2.25 BULLYING

An employee will not engage in any conduct which amounts to bullying against an employee, elected member or committee member.

2.26 CORRUPTION, CRIME AND MISCONDUCT ACT 2003

Employees acknowledge that;

- 1) a main purpose of the *Corruption, Crime and Misconduct Act 2003* is “*to continuously improve the integrity of, and reduce the incidence of misconduct in, public authorities*”;
- 2) the *Corruption, Crime and Misconduct Act 2003* gives the Public Sector Commissioner two main areas of responsibility:
 - a. Firstly, misconduct prevention and education functions. Relevant provisions of the *Corruption, Crime and Misconduct Act 2003* gives the Commissioner a role to:
 - i. Help public authorities to prevent, and to identify and deal effectively and appropriately with misconduct, and
 - ii. Collect and analyse information gathered in relation to its broader functions.
 - b. Secondly, a role to oversight minor misconduct by public officers. This includes:
 - i. Receiving and assessing notifications from principal officers in public authorities about minor misconduct allegations and minor misconduct allegation reports from persons (individuals),
 - ii. Monitoring the management of minor misconduct matters by public authorities, and
 - iii. Potentially, to investigate cases of minor misconduct by public officers.

- 3) the CEO, as the “*principle officer of notifying authority*” has a statutory obligation, under the *Corruption, Crime and Misconduct Act 2003*, to report to the Commission any matter “which that person suspects on reasonable grounds concerns or may concern minor or serious misconduct”; and
- 4) it is an offence under the *Corruption, Crime and Misconduct Act 2003* to threaten, intimidate or harass or to do any act that is likely to be to the detriment of any person because the person gave evidence to, or helped, the Commission.

2.27 PUBLIC INTEREST DISCLOSURE ACT 2003

Employees acknowledge that;

- a) the *Public Interest Disclose Act 2003* deals with the disclosure of public interest information;
- b) public interest information includes information that tends to show that, in relation to its performance of a public function, a public authority (including the Shire) is involved in (amongst other things), improper conduct or any act or omission that constitutes an offence under a written law;
- c) the *Public Information Disclosure Act 2003* provides persons who make disclosures of public interest information with certain immunities, protections and remedies, and imposes certain responsibilities;
- d) the CEO is to ensure that employees who make disclosures of public interest information are not in any way disadvantaged or victimized because of their actions.

Note: Information provided by the Public Sector Commission concerning public interest disclosures is available on their website www.publicsector.wa.gov.au.

2.28 DRUGS AND ALCOHOL

All employees will ensure that the consumption of alcohol or legally obtainable substances does not affect their work performance or working relationships, their personal safety or that of others, or impact on official conduct at any time.

2.29 INTELLECTUAL PROPERTY

The Shire owns rights, titles and interests in any intellectual capital or property development during the employee’s service with the Shire.

3.0 MATTERS NOT DEALT WITH BY THIS CODE

3.1 THE ACT

Certain conduct and actions by employees constitutes an offence under the Act and is not dealt with by this Code.

4.0 CONTRAVENTION OF THIS CODE

4.1 COMPLAINT OF CONTRAVENTION

A person who has reason to believe that an employee, elected member or committee member has contravened a provision of this Code may;

- a) report, and have the matter investigated, in accordance with Council's grievance policy; or
- b) complete Attachment C.

4.2 COMPLAINTS MADE FOR AN IMPROPER PURPOSE

Employees must not make a complaint or cause a complaint to be made under this code for an improper purpose.

For the purposes of clause 4.2, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for an improper purpose.

4.3 PROCEDURE FOR DEALING WITH COMPLAINT

- 1) Where a completed complain form is received by the Deputy Chief Executive Officer, the matter will be notified to the CEO and/or Shire President.
- 2) The CEO and/or Shire President will be responsible for the investigation of allegations of breaches of the Code and must either:
 - a. Where deemed possible and appropriate by the CEO and/or Shire President try and resolve the issue through discussions with the parties;
 - b. Investigate the alleged breach; or
 - c. Engage an independent person to investigate the allegation.
- 3) Any investigation will follow the rules of procedural fairness. The investigator must:
 - a. Inform the person/s against who's interests a decision may be made of any allegations against them and the substance of any adverse comment in respect of them;
 - b. Provide the person/s with a reasonable opportunity to put their case;
 - c. Hear all parties to a matter and consider submissions;
 - d. Make reasonable enquiries before making a decision; and
 - e. Ensure that no person is involved in enquiries in which they have a direct interest.
- 4) Wherever reasonably practical parties will meet with the intent of resolving the issue.
- 5) Wherever reasonably practical investigations will be kept confidential.

ROLE OF COUNCIL

- 1) In accordance with applicable legislation, the role of the Council is to:
 - a. Administer the Shire in the best interest of its community; and
 - b. Provide open, responsive and accountable government.
- 2) The Council will undertake its duties honestly, fairly, impartiality and responsibly to the best of its ability, promoting justice, respect and care for the Community.

ROLE OF THE CHIEF EXECUTIVE OFFICER (CEO)

- 1) In accordance with applicable legislation, the role of the CEO is to:
 - a. Advise Council in relation to the functions of the Shire under the Act and other written laws;
 - b. Ensure that advice and information is available to the Council so that informed decisions can be made;
 - c. Implement Council decisions;
 - d. Manage the day to day operations of the Shire;
 - e. Liaise with the Shire President on the Shire's affairs and the performance of the Council's functions;
 - f. Speak on behalf of the Shire if the Shire President agrees;
 - g. Be responsible for the employment, management, direction and dismissal of Employees (subject to Council agreeing or rejecting the appointment or dismissal of Senior Employees);
 - h. Ensure that records and documents of the Shire are properly kept for the purposes of the Act and other written law; and
 - i. Perform any other function specified or delegated by the Council or imposed under the Act or any other written law as a function to be performed by the CEO.

ROLE OF EMPLOYEES

- 1) The primary role of an employee is to;
 - a. Undertake the administrative and operational functions of Council;
 - b. Implement policies and directives;
 - c. Provide professional advice and expertise;
 - d. Stimulate innovation and strive toward best practice in the delivery of service to the community;
 - e. Provide objective, reliable and high quality written reports containing sufficient information to assist elected members, committee members and Senior Officers to make informed decisions;
 - f. In the conduct of his or her duties, an employee is encouraged to develop networks within the Local Government industry, to support and assist their peers and to promote goodwill between Local Governments; and
 - g. Employees will at all times;
 - i. Accept and respect the rights and obligations vested in elected members;
 - ii. Conduct themselves professionally in all dealings with elected members;
 - iii. Ensure that all issues are addressed with the highest level of proficiency and loyalty to the organisation;
 - iv. Ensure that they operate within the limitations of the delegations and authorities vested in them;
 - v. Refrain from criticising an elected member, committee member or other officer/s in a manner that may discredit that elected member, committee member or officer's professional competence and reputation; and

- vi. Conduct themselves in an honest, ethical and professional manner.

ATTACHMENT B CODE OF CONDUCT COMPLAINT FORM

Note to Person making the complaint:

This form must be completed if you wish to complain about an Employee, Elected Member or Committee Member whom you allege has breached the Code of Conduct.

All information requested on the form must be provided before the complaint can be processed. After all information has been provided, sign and date the form and submit to the Deputy Chief Executive Officer. They will then ensure sufficient and relevant information has been collected to pass the complaint onto the Chief Executive Officer or the Shire President. They will then, together or independently, determine the complaint.

Note to the Person receiving the complaint form:

Any information provided on this form MUST NOT be sent or divulged in any way to the person who is the subject of the complaint.

All information requested below must be provided by the Person making the complaint.

1. What is the name of the Employee, Elected Member or Committee Member who you allege has breached the Code of Conduct?

2. What section of the Code of Conduct do you allege has been breached?

3. What date do you allege the breach occurred?

4. How do you allege the breach occurred? (Additional sheets may be attached to the complaint form).

5. Were there any witnesses to the alleged breach?

6. Are the witnesses willing to provide information to assist in resolving the complaint?

7. If so, what are the name(s) and contact details of witnesses?

Name: _____

Contact details: _____

Name: _____

Contact details: _____

8. Have you attached all relevant and additional information which may assist in resolving the complaint?

Signed: _____

Full Name: _____

Telephone Contact: _____

Date: _____