



Code of Conduct - Employees, Volunteers, Contractors and Labour Hire Personnel

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A - PREAMBLE

This Code of Conduct, developed in accordance with Section 110 of the *Local Government Act*, is a public declaration of the principles of good conduct and standards of behaviour that the Council have decided its stakeholders could reasonably expect Council employees, volunteers, contractors and labour hire personnel to demonstrate in the performance of their duties and functions.

All employees, volunteers, contractors and labour hire personnel are required to comply with the provisions of this policy with a view to maintaining public trust and confidence in the City of Salisbury.

B - SCOPE

The requirements within this Code of Conduct will extend to all employees, volunteers, contractors and labour hire personnel engaged to provide services on behalf of the City of Salisbury.

A separate code of conduct applies to Elected Members.

C – DEFINITIONS

For the purpose of this document, employees, volunteers, contractors and labour hire personnel will be referred to as “those engaged”. The term “contractors” refers only to those persons who are specifically notified within their contractual terms of engagement of an obligation to be bound by the terms of this policy

D - POLICY PURPOSE/OBJECTIVES

1. To articulate the behavioural requirements expected of all those engaged on behalf of the City of Salisbury whilst performing and discharging their duties.
2. To explain the consequences for those engaged who behave in a manner which is in breach of this Code of Conduct.

E – VALUES – City of Salisbury

1. Community Leadership

We are committed to strategic planning and will manage the City to meet community goals.

2. Community and Customer Service

We know who our community and customers are. We will listen to their needs and respond to their changing requirements.

3. Competitive Performance

We will continue to be a leader in Local Government, at all times striving for best-practice and innovation. We take pride in a well trained and competent workforce in delivering high levels of professionalism in both planning and service delivery.

4. Probity and Ethics

We will act in the best interest of our community with honesty, integrity and transparency.

5. Access and Equity

We are committed to the removal of barriers in the design and delivery of programs and services so that all community members can participate in and have access to the services and processes of the Council.

F - POLICY STATEMENT

Those engaged on behalf of the City of Salisbury will conduct themselves in a manner that generates community trust and confidence and enhances the standing, role and image of the Council and Local Government generally.

Those engaged will be expected to observe the following key principles underpinning the Code of Conduct.

Key Principles of this Code of Conduct

1. Community Leadership

Those engaged on behalf of the City of Salisbury must act with reasonable care and be diligent in the performance of their duties and functions. In undertaking their duties those engaged shall:

- Uphold the decisions of Council and respect the role of the Elected Members in policy and planning and behave in a manner that facilitates constructive communication between Council and the community.
- when representing the Council, provide an accurate and fair representation of Council decisions
- conduct themselves in a manner that will not embarrass or reflect unfavourably on the Council
- ensure the proper and responsible use of Council resources

2. Community and Customer Service

Those engaged on behalf of the City of Salisbury shall:

- Behave in a professional manner and treat fellow staff and members of the public with honesty, fairness, equality, respect and dignity
- Ensure formal notification of Council decisions on approvals, permits, and suchlike, is only communicated in an official capacity by a designated Officer of the Council
- when speaking to the community, make clear whether or not they are representing the Council or presenting a personal viewpoint.
- when expressing personal views, show respect for the Council, its decisions, decision making process, elected members, or other officers of Council.

3. **Competitive Performance**

Those engaged on behalf of the City of Salisbury must ensure at all times that Council equipment or facilities, including vehicles, are used appropriately.

- Activities deemed to constitute “private work” which interfere with Council duties will be a clear breach of this Code of Conduct. This includes inappropriate use of a council vehicle, facilities or other equipment without approval.
- The term “facilities” incorporates any misuse of media for the transmission of messages, which are in breach of Information Services Policy guidelines available on the Intranet.
- Employees must inform the City Manager, in writing, of any intention to undertake an activity which may compromise their role as a public officer.
- On occasions, employees are required to fulfil their obligation as board members of external bodies and attend meetings in an official capacity and not as a Council representative. Where this meeting takes place in working hours, any sitting fee or remuneration received for attendance will be paid to the City of Salisbury unless determined otherwise by the City Manager.

4. **Probity and Ethics**

Those engaged must act in a fair, honest and proper manner in accordance with all applicable State and Commonwealth legislation and Council policies. In undertaking their duties those engaged shall:

- be just, honest and non-discriminatory in their dealings with individuals and organisations.
- not endeavour to influence any person to obtain unfair advantages or favours
- observe standards of conduct and requirements set out in the Council policy for protecting children and other vulnerable people in the community
- observe the requirements for maintaining a drug free workplace recognising provisions within Council’s Drug and Alcohol policy for the random drug testing of employees
- act in a courteous and sensitive manner that recognises diversity and does not discriminate against others on any grounds

Use of Information/Media Liaison

Information obtained by persons engaged in the course of their duties and functions is to be respected and used in a careful and prudent manner.

In undertaking their duties or roles, persons engaged on behalf of the City of Salisbury shall:

- maintain confidentiality in relation to information or documents that are determined by the Council to be confidential and respect the privacy of staff, ratepayers and the general public
- not use or disclose information in a way that may:
 - cause significant damage or distress to a person or organisation; or
 - confer an unfair commercial or financial advantage on a person or organisation
- not make comments to the media in an official capacity unless authorised to do so by the City Manager.

Gifts, Benefits and Hospitality

Those engaged must avoid circumstances in which the acceptance of any gifts or hospitality could give the appearance of a conflict of interest, or be interpreted as a preference or a favour.

Those engaged should not by virtue of their position or role, solicit, demand or request gifts or any other personal benefit for themselves or any other person.

Any gift or benefit which could be regarded as an inducement for preferential treatment must be disclosed and declared using the appropriate procedures set out within the Gifts and Benefits Policy on the Intranet.

Conflict of Interest

Those engaged must avoid conflicts of interest, real or apparent, recognising both organisational and legal imperatives. This includes not carrying out private work which compromises Council duties or using Council plant or facilities in a manner that has not been approved.

Personal relationships should not influence the obligations to the Council of those engaged, nor should those engaged, their relatives or friends, stand to benefit from a transaction between the City of Salisbury and another party.

Those engaged who have an interest in a matter in relation to which he or she is required to act or exercise a decision making role must:

- a) disclose the interest to their Departmental Director and
- b) not act in relation to the matter, unless the Director otherwise determines.

The City Manager and Directors are required to declare their interests as and when their circumstances change. All information furnished will be entered in the Register of Interests maintained by the Manager Governance and Customer Service.

5. Access and Equity

Those engaged are expected to:

- follow reasonable instruction and act in a manner that does not adversely affect their own health or safety or the health or safety of others
- provide fair and equitable treatment to staff and members of the public
- be reasonable, just and non discriminatory when carrying out all aspects of our roles and responsibilities
- maintain and contribute to building a workplace that tolerates diversity and rejects behaviours that contravene related Council policies or legislation.

G – COMPLIANCE WITH THE CODE OF CONDUCT

Responsibility for complying with these standards of conduct will rest with those engaged and to some extent with their supervisor/manager.

Council considers that any serious breach of the general principles pertaining to this Code of Conduct, associated legislative provisions or associated Council policy, will constitute grounds for disciplinary action. Such action may include reprimand, suspension, termination, or legal prosecution as set out within the Council's Performance Management Policy.

Those engaged are entitled to representation in considering any allegation of non-compliance. In the conduct of any investigation, management will have regard to the principles of fairness, equity and natural justice. Investigations undertaken regarding compliance with the Code of Conduct will be kept confidential.

Serious Misconduct

Employees should be aware that the following behaviours will be viewed as constituting serious misconduct and could result in summary (instant) dismissal subject to the principles of fairness, equity and natural justice.

Similarly, volunteers, contractors and casual workers should be aware that the behaviours which follow could result in immediate termination of the services of the volunteer, contractor or casual worker, subject to the principles of fairness, equity and natural justice:

- Any **deliberate unsafe act** which results in, or could lead to, an injury to self, another person or damage to Council property
- Any **intentionally misleading or untruthful statements** made to the employer in the course of an investigation
- Any **criminal act** committed whilst engaged with the Council or not disclosed to the Council at the time of engagement in accordance with Criminal History Assessment Procedures.
- Deliberate **vandalism, sabotage or damage** to Council property
- Any **physical or verbal abuse** by those engaged against any fellow employee, volunteer or member of the general public during the course of his/her lawful duties.
- **Accepting commission or rewards** from a person to show an advantage to that person in their business dealings with the Council
- **Gross insubordination** or failure to comply with a lawful instruction
- **Theft** or fraud involving Council property or stealing from others engaged with Council
- **Suspension or loss of driver's licence** – *only applicable to those engaged whose role is dependent upon them holding a current driver's licence and are therefore unable to meet the obligations of their Contract of Employment or Role Statement.*
- **Breaching private work guidelines** by using a Council vehicle, facilities or equipment inappropriately and without approval.

This list does not cover all types of misconduct but is intended as a guide to what may constitute serious misconduct and become a dismissible offence.

H – REFERENCES

- *Local Government Act 1999*
- *Equal Opportunity Act 1984*
- *Children's Protection Act 1993*
- *Children's Protection (Miscellaneous) Amendment Act 2005*
- COS Fraud and Corruption Prevention Policy
- COS Performance Management Policy and Procedures
- COS Procurement Policy (Gifts, Gratuities and Hospitality)
- COS Fair Treatment Policy
- COS Media Policy
- COS Information Services Policy
- COS Use of Council Vehicles Policy
- COS Drug and Alcohol Policy and Procedures
- COS Occupational Health, Safety, Welfare and Injury Management Policy
- Criminal History Assessment Procedures

Document Control

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