



Code of Conduct for Employees

Policy Reference Number	05CP
Responsible Department	Executive Services
Related Policies	Volunteers, Children and Vulnerable Persons Safety , whistleblowers , Electronic Communications , Register of Interests
Related Procedures	Dress Code, Motor Vehicle , EEO , OHSW and Injury Management
Date of Initial Adoption	18 September 2007
Last Reviewed by Council	23 November 2010

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1. Purpose

Campbelltown City Council aims to maintain a culture that promotes honesty, trustworthiness, professionalism and a cooperative working environment supporting its commitments to the community and stakeholders alike.

This Code of Conduct outlines the values, principles and standards of behaviour that are binding on all employees of the Campbelltown City Council. These standards are in addition to (but do not diminish) any statutory requirements of the Local Government Act 1999, the Criminal Law Consolidation Act 1935 or any other relevant Act, Regulation, Award, Workplace Agreement, or contract of employment.

An employee of Council must observe this Code of Conduct whenever he or she:

- is engaged in Council work;
- acts as a representative of the Council.

2. Power to Make the Policy

This Code of Conduct has been developed as required by Section 110 of the Local Government Act 1999 and in consultation with the employees of the Campbelltown City Council and the relevant registered industrial associations representing their interests.

3. Strategic Plan Link

This Code of Conduct has the following link to Council's Strategic Plan 2010-2020:

[Leadership \(Goal 2\) - A Council with strong leadership and excellent service delivery.](#)

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4. Principles

The following principles underpin the ethics and standards of conduct of employees of the Campbelltown City Council:

- Integrity
- Respect
- Teamwork
- Leadership
- Customer Focus

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These principles are consistent with established values expressed in Council's Strategic Plan.

5. Definitions

Employee Includes any person performing work on behalf of Council, either paid or unpaid, including the Chief Executive Officer, managers and staff employed on a full time, part time, casual or contract basis, work experience students, agents, consultants and contractors employed by Council. It includes volunteers on Council's Advisory and Management Committees but excludes all other volunteers.

6. Policy

6.1 General Conduct Obligations

6.1.1 It is expected that employees' conduct will at all times:

- comply with legislation, Workplace Agreements, the terms of employment contracts, Council Policies, Plans, Procedures, other administrative requirements and this Code;
- be proper and ethical;
- comply with the appropriate delegated powers and level of authorisation and demonstrate a high level of professionalism;
- endeavour to provide a quality service level to the community.

6.1.2 Employees must, at all times:

- treat others with respect, acknowledge the diversity of opinion that may exist and support the right of all points of view to be heard;
- perform their duties to the best of their ability, ensuring efficient and effective use of Council resources;
- conduct mature and constructive working relationships with the Elected Members based on mutual trust, courtesy and respect;
- carry out lawful policies, decisions and practices of the Council in a professional manner, regardless of personal opinion;
- adhere to all of Council Plans, Policies and Procedures including those relating to [the employment relationship which are particularly relevant to the Employee Code of Conduct eg](#) harassment, bullying, equal opportunity and occupational health and safety.

6.2 Conflict of Interest

6.2.1 Employees must ensure that opportunities do not exist for their personal or private interests, or those of people closely associated with them, to conflict with the impartial performance of their public or professional duties.

6.2.2 To assist in the separation of public and private interests, employees are ineligible to apply for community positions on Council's Section 41 committees or Council's Development Assessment Panel. Employees are welcome to apply for positions on other councils' committees, panels, groups, etc.

6.2.3 The Local Government Act 1999 requires employees to reveal any specific interests where conflict could arise and even if the matter only appears to create a conflict with their public or professional duties, employees must advise the Chief Executive Officer at the earliest opportunity and not act in relation to the matter unless the Chief Executive Officer otherwise determines.

6.2.4 Where the Chief Executive Officer identifies that he has an interest in a matter, he must disclose the interest to the Council and the Council will formally determine whether or not the Chief Executive Officer is to continue acting in relation to the matter in accordance with Section 120 of the Local Government Act 1999.

6.3 Personal Benefit

6.3.1 Employees must not:

- seek or accept a bribe or other improper inducement;
- by virtue of their position, acquire a personal profit or advantage which has a monetary value, other than one of token value.

6.3.2 Employees must not seek or accept any payment, gift or benefit intended or likely to influence, or that could be reasonably perceived by an impartial observer as intended or likely to influence them to:

- act in a particular way (including making a particular decision);
- fail to act in a particular circumstance;
- otherwise deviate from the proper exercise of their official duties.

6.3.3 Employees may accept gifts or benefits of a nominal or token value that do not create a perception or a sense of obligation on their part. Should they accept a gift that has a value over \$50 they must disclose this promptly to their General Manager and record the details of the gift in the Register of Gifts.

6.4 Improper and Undue Influence

6.4.1 Employees must not take advantage of their position to improperly influence other Council officials in the performance of their public or professional duties to secure a private benefit for themselves or for any other person or body.

6.4.2 Employees must not take advantage (or seek to take advantage) of their status or position with, or functions performed for, Council in order to obtain an unauthorised or unfair benefit for themselves or for any other person or body.

6.5 Personal Dealings with Council

6.5.1 If employees deal personally with Council they must not expect or request preferential treatment for themselves or their family because of their position. Employees must avoid any action that could lead members of the public to believe that they are seeking preferential treatment.

6.6 Use of Council's Resources

- 6.6.1 Employees must use Council resources ethically, effectively, efficiently and carefully in the course of their public or professional duties. Employees are accountable for the responsible use of Council assets, resources and access rights, and must report lost or stolen items or the improper use of resources to their Manager as soon as the loss / breach is identified.
- 6.6.2 Employees must not use Council resources for private purposes except where they are supplied as part of a contract of employment or where their use is specifically authorised and proper payment is made where appropriate.
- 6.6.3 Employees must avoid any action or situation which could create the impression that Council property, official services or public facilities are being improperly used for their own or any other person or body's private benefit or gain.

6.7 Communication and the Media

- 6.7.1 Employees may only speak publicly or to the media on behalf of the Council when they are specifically authorised to do so by the Chief Executive Officer.
- 6.7.2 ~~No employee is to make comment and/or enter into public debate on Campbelltown City Council projects, political or other issues. Employees are ineligible from being members of the Council's Online Community Panel.~~

6.8 Access to and Use of Council Information

- 6.8.1 Employees must:
 - only access information needed for Council business ~~and not for any other purpose.~~
 - protect confidential information.
 - not use confidential information for any non-official purpose.
 - only release confidential information if they have authority to do so.
 - only use confidential information for the purpose it is intended to be used.
 - only release information in accordance with established Council policies and procedures and in compliance with relevant legislation.
 - not use Council information for personal purposes.
 - not disclose any information discussed during a confidential session of a Council meeting.
- 6.8.2 Employees must not use confidential information gained through their official position for the purpose of securing a private benefit for themselves or for any other person.

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- 6.8.3** Employees must not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for themselves, or any other person or body, from any information to which they have access in the exercise of their official functions or duties by virtue of their position.
- 6.8.4** Employees must not use confidential information with the intention to improperly cause harm or detriment to the Council or any other person or body.
- 6.8.5** When dealing with personal information employees must comply with Council's Privacy Policy and Privacy Guidelines.

6.9 Private Business or Additional Employment

- 6.9.1** If employees are involved in a private business or are considering additional employment or contract work, they must notify and seek the approval of the Chief Executive Officer.
- 6.9.2** Before employees engage in private business or additional employment they must ensure that it will not:
- conflict with their official duties;
 - interfere with their Council work;
 - involve using confidential information or Council resources obtained through their work with the Council;
 - require them to work while on Council duty;
 - discredit or disadvantage the Council.

6.10 Corporate Image and Work Attire

- 6.10.1** All employees must be well groomed and wear either the required corporate uniform or a standard of corporate dress which is appropriate to their position, portrays a professional image to the community and meets Occupational Health, Safety and Welfare (OHS&W) requirements . Required corporate dress standards are outlined in Council's Dress Code.

6.11 Council Supplied Uniforms

- 6.11.1** Employees who, as a result of the nature of their work are required to wear uniforms in the course of their duties, will be supplied with those uniforms free of charge.
- 6.11.2** Employees are not to mix uniform with corporate or other attire excepting as per the provisions of Council's Dress Code.
- 6.11.3** Employees who are required to work outside as part of their normal duties will wear long pants, long-sleeved shirts and broad brimmed hats (as specified) in accordance with OHS&W best practice for sun protection,
- 6.11.4** Where appropriate, employees will wear Personal Protective Equipment (PPE) issued to them in accordance with OHS&W legislative requirements.

6.12 Commitment to Safe Environment for Children and Vulnerable People

6.12.1 Council's employees are committed to the safety and wellbeing of all children, young people and vulnerable persons accessing Council services. They support the rights of children and vulnerable persons and will act without hesitation to ensure a child safe and vulnerable person safe environment is maintained at all times. Council supports the rights and wellbeing of its employees and encourages them to have active participation in building and maintaining a secure environment for all participants and adherence to the following Code of Conduct for a Safe Environment.

Do:

- Treat everyone with dignity, respect, sensitivity, fairness and honesty (this includes staff, volunteers, students, children, young people and parents).
- Remember to be a positive role model to children in all your conduct with them.
- Set clear boundaries about appropriate behaviour between yourself and the children in your organisation.
- Follow organisational policy and guidelines for the safety of children as outlined in Council's Safe Environment Policy and Guidelines.
- Always have another adult present or in sight when conducting one to one coaching, instruction etc.
- Raise any concerns, problems or issues with management as soon as possible.
- Record and act on serious complaints of abuse.

Do not:

- Engage in rough physical games, including horseplay.
- Develop any 'special' relationships with children or vulnerable people that could be seen as favouritism such as the offering of gifts or special treatment.
- Do things of a personal nature that a child or vulnerable person can do for themselves, such as going to the toilet or changing clothes.

6.13 Compliance with this Code of Conduct

- 6.13.1 In accordance with the Local Government Act 1999, employees must comply with this Code of Conduct [and all Council policies and procedures](#).
- 6.13.2 The Chief Executive Officer is responsible for promoting and enforcing compliance with this Code of Conduct.

6.14 Complaint of Alleged Breach

- 6.14.1 A complaint may be made by any person, including an Elected Member, aggrieved by an employee's alleged breach of this Code of Conduct.
- 6.14.2 Complaints must be in writing, marked confidential and addressed to the Chief Executive Officer, or in the case of an alleged breach by the Chief Executive Officer, to the Mayor.
- 6.14.3 Sufficient details must be given in order to identify the action that is believed to have given rise to the alleged breach.
- 6.14.4 Anonymous allegations may not be investigated.
- 6.14.5 Complaints must be lodged within three (3) months of the date of the alleged breach of this Code of Conduct.
- 6.14.6 Employees have a responsibility not to make unsubstantiated complaints. Disciplinary action will be taken against:
- a complainant where there is evidence that he/she has knowingly alleged a breach that is untrue, malicious or in bad faith and has done so deliberately to cause harm or hardship to another employee(s);
 - any employee who knowingly and/or maliciously provides false evidence during an investigation.
- 6.14.7 Vexatious and malicious allegations may expose the complainant to the risk of individual defamation proceedings.

6.15 Complaints Process

6.15.1 Alleged Breach by an Employee

- 6.15.1.1 The Chief Executive Officer (Mayor in the case of the CEO) will appoint an Investigating Officer, to manage the process for reviewing a complaint alleging a breach of this Code of Conduct by an employee. Deleted:)
- 6.15.1.2 The Chief Executive Officer (Mayor in the case of the CEO) will determine whether the employee should be suspended from duties until an investigation has been undertaken.
- 6.15.1.3 The Investigating Officer will either:
- determine not to enquire into the matter and give the reason/s in writing; or
 - make enquiries into the matter; or

- engage an independent person to mediate or make enquiries into the matter or refer the matter to an appropriate authority.
- 6.15.1.4** The employee will be entitled to representation and the investigation of the matter will be conducted in confidence and with regard to the principles of fairness, equity and natural justice.
- 6.15.1.5** The findings of the investigation will be provided to the complainant and the employee in writing, including where the complaint is heard to be false or withdrawn.
- 6.15.1.6** If the complaint is upheld, the LGA Mutual Liability Scheme will be forwarded summary information relevant to the complaint by the Chief Executive Officer (or nominee).
- 6.15.1.7** Having regard to the nature of the findings after the investigation, disciplinary action may be taken against the employee in accordance with the disciplinary process provisions of their current Workplace Agreement.

7. Review & Evaluation

This Policy will be reviewed by the Campbelltown City Council within twelve months after each general election of the Council.

The Council may at any time alter this Policy or substitute a new Policy and in doing so, Council will take reasonable steps to consult with its employees and the relevant registered associations representing their interests in accordance with Section 110(5) of the Local Government Act.

8. Availability of the Policy

This Policy will be available for inspection at Council's principal office during ordinary business hours and at Council's website www.campbelltown.sa.gov.au. Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.