



Shire of Wyndham East Kimberley
Council Policy
CP/HR02

POLICY NO:	CP/HR02
DIVISION:	Human Resources
SUBJECT:	Members of Staff Code of Conduct
REPORTING OFFICER:	Chief Executive Officer
ENABLING LEGISLATION:	Local Government Act 1995 Section 5.103 Schedule 9.3 Clause 22

OBJECTIVE

To provide members of staff with consistent guidelines for an acceptable standard of professional conduct. The Code addresses the broader issue of ethical responsibility and encourages greater transparency and accountability in individual Local Governments with the aim of providing:

- a) better decision making by local government;
- b) greater community participation in the decisions and affairs of local governments;
- c) greater accountability of local governments to their communities; and
- d) more efficient and effective local government.

POLICY

Code of Conduct for Members of Staff

1. Conflict and Disclosure of Interest

- 1.1 Members of staff will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- 1.2 Staff will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Shire of Wyndham East Kimberley, without first making disclosure to the Chief Executive Officer. 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.
- 1.3 Members of staff will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the municipality or

which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).

- 1.4 Members of staff who exercise a recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- 1.5 Staff will 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.

2. Financial Interests and Interests that May Affect Impartiality

2.1 Pecuniary Interest

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

2.2 Disclosure of Interest Affecting Impartiality

- a) Appropriate staff will disclose, in a written return or at the relevant meeting, the interests, which might be in conflict with their public or professional duties.
- b) Whenever disclosure is required, recommendation in this Code, or otherwise seems appropriate, it will be made promptly, fully and in writing within the register provided.

3. Personal Benefit

3.1 Use of Confidential Information

Members of staff will not use confidential information 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 organisation.

3.2 Intellectual Property

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Local Government upon its creation unless otherwise agreed by separate contract.

3.3 Improper or Undue Influence

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

3.4 Gifts or Bribery

- a) Members of staff 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 with the Local Government or their performance of any duty or work which touches or concerns the Local Government.
- b) If any gift, reward or benefit is offered (other than gifts of a token kind, or moderate acts of hospitality), disclosure will be made in a prompt and full manner and in writing in the appropriate register.

4. Conduct of Members of Staff

4.1 Personal Behaviour

Members of staff 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 their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
- c) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interest of the Local Government and the community;
- d) make no allegations which are improper or derogatory (unless true and in 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; and
- e) always act in accordance with their obligation of fidelity to the Local Government.

4.2 Honesty and Integrity

Members of staff will;

- a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- b) bring to the notice of the Chief Executive Officer any dishonesty or possible dishonesty on the part of any other member of staff.

c) be frank and honest in their official dealing with each other.

4.3 Performance of Duties

While on duty, staff will give their whole 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 Local Government.

4.4 Compliance with Lawful Orders

a) Members of staff 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 can not be achieved, with the Chief Executive Officer.

b) Members of staff will give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

4.5 Administration and Management Practices

Members of staff will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

4.6 Corporate Obligations

a) Standard of Dress

Staff are expected to comply with neat and responsible dress standards at all times. Management reserves the right to raise the issue of dress with individual staff.

b) Communication and Public Relations

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

4.7 Relationships between Members and Staff

An effective member of staff will work as part of the Council team with the Councillor's Chief Executive Officer and other members of staff. That teamwork will only occur if Members and staff have a mutual respect and co-operate with each other to achieve the Council's corporation goals and implement the Council's strategies.

5. Dealing with Council Property

5.1 Use of Local Government Resources

Members of staff will;

- a) be scrupulously honest in their use of Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- b) use Local Government's resources entrusted to them effectively and economically in the course of their duties; and
- c) not use Local Government's resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment) unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

5.2 Travelling and Sustenance Expenses

Members of staff 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 Local Government in accordance with Local Government policy and the provisions of the Local Government Act.

5.3 Access to Information

Staff will ensure that Members of Council are given access to all information necessary for them to properly perform their functions and comply with their responsibilities as members.

ADOPTED: 24/06/2003

REVIEWED:

ACCEPTED: 17/11/2009