



**Code of Conduct -
Employee, Volunteer and Contractor**

Message from the Chief Executive Officer

The Shire of Chittering's Employee, Volunteer and Contractor's Code of Conduct (the **Code**) is an extension of our values and is a foundation for our long-term success.

This document sets out the guidelines that we must follow to maintain high ethical standards, appropriate corporate behaviour and accountability across the Shire of Chittering.

Ethical behaviour is an integral part of our culture, a culture that defines who we are, how we are perceived by the community and how we treat our colleagues.

Through openness and integrity, the Code ensures that we comply with procedures that reflect the highest standards of corporate governance.

We will sometimes encounter situations that will test our values, judgment and integrity. When these tests arise, we can use this Code. When each of us follows the Code, we communicate our commitment to the values.

I am personally committed to making sure we embody the strong ethical principles captured in this important document. It is essential for every employee to uphold and follow our Code, regardless of your role at the Shire of Chittering. Equally important is a requirement to hold others accountable to follow our Code and to call out misalignment of values in a respectful way.

Thank you for being engaged and committed to making the principles and practices of our Code part of your daily work.

Please take time to familiarise yourself with your obligations under this Code and continue to refer to it as you perform your duties. If you require further clarification on the Code or any of your obligations outlined below, please contact your Executive Manager.



Melinda Prinsloo
Chief Executive Officer
Shire of Chittering

Determination of threshold amount:

As per Section 19 AF (1) of the *Local government (Administration) Regulations 1996*, the threshold amount for a prohibited gift is determined to be **\$100**.

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1. Introduction

The Code applies to all persons employed by the Shire of Chittering (the **Shire**) under the *Local Government Act 1995*. Each of us has a personal responsibility to incorporate, and to encourage others to incorporate, the principles of the Code in our work.

Our Code is a great resource, but it doesn't cover every situation you may face, so it's important to use good judgement in everything you do and to ask for help if you're ever unsure about the right course of action.

It should be noted that the Code is not a 'stand-alone' document and does not over-ride any legislation or law. Should the Code be inconsistent with any legislation or law, the legislation or law will take precedence.

2. Our Vision

The Shire of Chittering has committed to a vision and a set of shared values that will be displayed through our behaviours and actions; and our conduct and behaviour will be consistent with the Shire's vision statement and guiding values.

Our vision is - *to be a shire that creates pride and enjoyment for the community, our colleagues and ourselves.*

We do this by:-

- Always looking for improvements;
- Acting with integrity and upholding our values; and
- Asking the question, "Is this in the best interests of Chittering?"

3. Our Values

The Shire has adopted four corporate values which distinguish and guide our professional conduct and personal behaviour while at work.

Make sure your actions always reflect our values. You are required to follow our Code and comply with the Shire's policies, procedures, all relevant laws and regulations and complete your assigned training.

Positive Attitude

- *We endeavour to do our best every day*
- *We bring a calm, respectful, can-do approach to each interaction*
- *We focus on solutions not problems*
- *We choose to be positive despite difficult situations.*

Respect – Trusting others and being trustworthy

- *We acknowledge the experience, skills & authority of others*
- *We give genuine & honest support to our colleagues and leaders*
- *We value the contribution from our colleagues*
- *We ask and listen*
- *We value different views*

Accountability – Accepting responsibility and meeting commitments, on time and to standard

- We deliver on what we promise
- We take responsibility for our decisions and behaviours
- We complete all tasks to the best of our ability
- We own our mistakes and accept feedback gratefully

Teamwork – Together we are stronger

- We work together within our team, with other teams, and our community
- We work together towards team goals, sometimes putting others work before our own
- We share ideas, knowledge & experience freely

	Supporting Behaviours	Conflicting Behaviours (What not to do)
Positive Attitude	<ul style="list-style-type: none"> • We focus on opportunities not obstacles • We take the initiative when new tasks or problems appear (in & outside our role) • We tackle challenges with curiosity and courage • We show appreciation for others efforts • We celebrate our and others successes • We are supportive when someone's positive attitude is slipping 	<ul style="list-style-type: none"> • We let someone else deal with problems • We create barriers to moving forward • We ignore and exclude others in our team • We bring a negative attitude to work • We regularly complain without taking action to resolve the issue • We focus solely on our own job, not helping others
Respect	<ul style="list-style-type: none"> • We demonstrate kindness & understanding • We listen carefully before answering or assuming • We ask for team member contributions & show they are valued • We are open, honest, kind, and genuine when communicating (inc. difficult conversations) • We acknowledge differences and try to find middle ground • We explain why decisions are made and actions taken 	<ul style="list-style-type: none"> • We micromanage • We sacrifice others for our own sake • We blame, belittle and bully others • We do not consult others (working in silos) • We do not involve key people in relevant conversations
Accountability	<ul style="list-style-type: none"> • We take ownership for our actions • We deliver on our commitments • We take the initiative to find solutions • We lead by example • We trust others to do their tasks • We are upfront about our workload & ask for help if needed 	<ul style="list-style-type: none"> • We blame others and make excuses for our mistakes instead of being honest • We let people down and do not follow through on promises • We defer and avoid making decisions • We take on more work than we can handle
Teamwork	<ul style="list-style-type: none"> • We look for opportunities for cross-dept projects • We communicate openly and honestly • We share ideas and knowledge • We support others to succeed • We have shared team goals, we share and celebrate success • We acknowledge each other workloads & seek solutions to balance competing demands 	<ul style="list-style-type: none"> • We work on our own, not asking questions or involving others • We gossip and undermine others • We are not accountable for our actions • We protect our turf and hoard information • We work in silos, ignoring shared goals

4. Ethics in Practice

4.1 Personal behaviour

Harassment and bullying in any form – verbal, physical, or visual is unacceptable and will not be tolerated. If you believe you've been bullied or harassed by any employee, contractor, or by any member of the public, we strongly encourage you to immediately report the incident to your Manager. Similarly, Managers who learn of any such incident should immediately report it to the CEO.

I will

- Act ethically and with integrity;
- Make decisions fairly, impartially and promptly, considering all available information, legislation, policies and procedures;
- Treat members of the public and colleagues with respect, courtesy, honesty and fairness, and have proper regard for their interest, rights, safety and welfare;
- Not harass, bully or discriminate against colleagues, members of the public or employees; and
- Fulfil all statutory requirements that relate to my role.

4.2 Professional conduct

We are committed to a supportive work environment, where employees have the opportunity to reach their full potential. The Shire actively creates and promotes an environment that is inclusive of all people and their unique abilities, strengths and differences. We work better together because of our differences, not despite them.

I will

- Respect and value the diversity of the workforce where differences are valued and respected;
- Give colleagues the opportunity to express their views and opinions and invite teamwork and collaboration;
- Respect work spaces and avoid displaying or distributing material or using language that may cause offence;
- Stop unacceptable behaviour if it is offensive or unwelcomed to a colleague or customer;
- Demonstrate respect and understanding for Elected Members in relation to their roles, functions and responsibilities; and
- Report unacceptable behaviour to my Manager, as appropriate.

4.3 Professional commitment

We must all recognise the part our roles play in contributing to the success of the Shire and make a commitment to comply with internal rules, policies and procedures, as well as conduct ourselves with integrity. We should each endeavour to fully utilise our capabilities and exercise our best efforts.

I will

- Report improper conduct or misconduct which has been, or may be occurring in the workplace;
- Comply with the requirements of any policy, procedure or work instruction;

- Maintain an appropriate, professional standard of dress and grooming which complies with internal procedures, and/or occupational safety and health standards;
- Ensure that I am “fit for work” and that my actions will not adversely affect my work performance or endanger the health, safety or welfare of others in the workplace or in the community; and
- Report all hazards and adverse events when they occur.

4.4 Communication and information

Our reputation, by which we build trust with our community, is our most valuable asset and it is up to all of us to make sure that we continually earn that trust and not do anything that may bring the Shire’s reputation into disrepute.

You must exercise caution and be careful when considering disclosing confidential information. You must ensure that external communications (including online and social media posts) do not disclose Shire information that may be confidential or represent (or otherwise give the impression) that you are speaking on behalf of the Shire unless you are authorised to do so. The same applies to communications with the media.

I will

- Not disclose Shire information or documents, acquired through my work, other than as required by law or where proper authorisation is given;
- Not misuse this information for personal or commercial gain for myself, or for a gain or to the detriment of another;
- Ensure that records and reports are truthful, accurate, complete, consistent, timely and understandable;
- Adhere to legal requirements, policies and all other lawful directives regarding communication with Ministers, ministerial staff, lobbyists and members of the public generally;
- Not provide comment or information to the media without proper prior authorisation;
- Where possible, ensure that information and services offered to the community by the Shire are accessible to everyone including people with disabilities, their families and carers;
- Respect the confidentiality and privacy of all personal information; and
- Return all confidential information and intellectual property within my possession and control when terminating my employment with the Shire.

4.5 Record-keeping and use of information

Our procedures limit access to and the use of information held by the Shire, and require that each of us take measures to protect that information from unauthorised access or use.

I will

- Not access or use information that is not required for me to do my role;
- Record actions and reasons for decisions to ensure transparency;
- Ensure the secure storage of sensitive or confidential information;
- Not destroy records without authorisation; and
- Comply with our record keeping plan and the State Records Act 2000.

4.6 Fraud, Corruption and Misconduct

The Shire considers fraud, corruption and misconduct to be serious matters. Such behaviours are unacceptable and the Shire adopts a zero tolerance approach towards such behaviour. All allegations of corrupt conduct will be investigated and may result in disciplinary action including possible dismissal.

I will:

- Not engage in fraud, criminal or corrupt conduct;
- Report any fraudulent, criminal or corrupt behaviour;
- Report any breaches of the Code; and
- Commit to supporting a strong culture and sound governance to prevent, detect and respond to fraud and misconduct.

4.7 Use of public resources

The Shire provides us the tools and equipment we need to do our jobs effectively, but relies on us to be responsible and not wasteful with the resources we are given.

The Shire's policy is to allow some personal use of certain assets, such as a Shire car, laptop, mobile phone or other wireless communication device. Always check the relevant policy to ensure that you are using Shire assets as intended. If you are unsure, please ask your Manager or Human Resources Coordinator.

Simply, the money we spend on behalf of the Shire is not ours, it is public funds. Each employee at the Shire, not just those in Finance, play a role in making sure that the Shire's money is spent appropriately.

I will:

- Be accountable for official expenditure;
- Use Shire resources diligently, efficiently and for their intended purpose;
- Use corporate credit cards and purchasing cards for Shire related expenditure only; and
- Not use work time or resources for personal gain, financial or otherwise.

4.8 Gifts and benefits

You must avoid situations that may give rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to secure favourable treatment from you. You must take all reasonable steps to ensure that your immediate family members do not receive gifts or benefits that give rise to the appearance of being an attempt to secure favourable treatment from you in your role with the Shire. Immediate family members ordinarily include parents, spouses, children and siblings.

To comply with the CEO's Determination, any gift, reward or benefit offered above \$100, shall not be accepted by staff members. Gifts that have been accepted of a value between \$50 and \$100, shall be treated as a notifiable gift. If any two or more gifts are offered by the same person over a 12 month period, the total value shall be treated as per one gift.

Transparency and openness are the key. If a gift is offered in a public forum, it is less likely to be perceived as a gift of influence than if it were offered in a private context.

I will

- Refrain from accepting a prohibited gift;
- Always disclose the acceptance of a notifiable gift from a person who is undertaking or seeking to undertake an activity involving a local government discretion; or it is reasonable to believe is intending to undertake an activity involving a local government discretion (that means that the activity cannot be undertaken without an authorisation from the Shire or by way of a commercial dealing with the Shire); and
- Notify the CEO, or their authorised representative, in writing, within 10 days of accepting a notifiable gift; which provides the following information:
 - 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; and
 - d) the nature of the relationship between the person who is an employee and the person who gave the gift;in order for the CEO to maintain the legislated Register of Notifiable Gifts.

4.9 Conflicts of interest

A conflict of interests exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty. You must avoid or appropriately manage any conflict of interests. The onus is on you to identify a conflict of interest and take the appropriate action to manage the conflict in discharging your public duty. When considering whether or not you have a conflict of interest, it is always important to think about how others would view your situation.

If in doubt consult your Manager.

I will:

- Ensure personal or financial interests do not conflict with my ability to perform my official duties in an impartial manner and declare any conflict between my personal and public duty as soon as it is known;
- Disclose any interest I may have in a matter to be presented at a Council Meeting, whether through advice I provide at the meeting or through advice that I will present in a report to the meeting, to the CEO in writing, either before the meeting, at the time the advice is given, or at the meeting immediately before the matter is discussed; and
- Seek CEO approval before undertaking other (secondary) employment.
- The CEO will advise the Presiding Member of any interest and the Presiding Member will bring the interest to the attention of those present at the meeting.

5. Ethical Decision Making

You have a responsibility to act legally and ethically in carrying out your duties and responsibilities as an employee of the Shire, in a way that complies with the principles outlined in the Local Government Act 1995 and is consistent with our Code.

You are expected to exercise a high degree of care in your decision making and make decisions impartially and in the best interests of the community.

So how do you make an ethical and correct decision? The decision-making guide below will help ensure that your behaviour meets the required standards. Assistance is also available from your Manager, Manager, Director, the CEO, Governance and Legal and People and Culture.

If you are unsure – seek advice BEFORE you act!

5.1 Decision making guide

Identify and assess the situation

- What is difficult about the situation?
- What are the legal issues to be considered?
- Does the Code require you to behave in a certain way?
- Who else is involved and what effect does your behaviour have on them?

Look at the situation from the Shire's standpoint

- What are your duties and responsibilities?
- Is there a relevant guideline, determination or policy?
- Who do you need to involve?

Would your behaviour stand up to scrutiny by the public?

This is sometimes called the family or newspaper test.

- What would your family or the CEO say if your actions were reported on the front page of the newspaper?
- Would others see you as using your employment and resources for public benefit?
- Do your personal interests conflict with the public interest?

Identify and consider the options

- Do you need to seek advice?
- Is there an alternative solution and what would the result of that solution be?
- How would the public view the alternative solution?

Choose your course of action

- Your choice of action must be within the legislation, policies and guidelines.
- Your behaviour must support the Shire's aims and standards.
- You must be able to justify your course of action.

6. What can happen if I breach the Code?

There are consequences for breaching your conduct obligations. Local government is subject to extensive regulation through legislation and a breach of any law will be viewed as a serious breach of the terms of your employment. Breaches of this Code, policy and/or procedure may also be considered serious and you may be subject to a disciplinary process in accordance with the Shire's Staff Disciplinary Policy.

Penalties for a breach may range from a reprimand through to the termination of your employment. Some unacceptable behaviours are also criminal offences and you may face prosecution if your behaviour is unlawful.

This means you must:

- Read, understand and comply with the Code and the policies, laws and regulations that apply to your job.
- Speak up when you see possible violations of the Code, policies and legal and regulatory requirements.
- Be truthful and cooperate fully in any investigation. Do not conceal or destroy information.
- Complete training on the Code, and attest that you understand and commit to complying with the Code.

Failing to read and attest to the Code does not excuse you from these obligations.

7. Suspected Breaches of the Code of Conduct

If you suspect that an employee has breached the Code of Conduct, you must report the suspected breach to the CEO, or a representative of the CEO.

8. Review

Feedback or comments in relation to the Code should be directed to the Executive Manager Corporate Services. The Code will be reviewed every three years or as circumstances and needs dictate. The Executive Manager Corporate Services is authorised to make administrative changes that do not affect the intent of the Code such as if policy or procedure documents change or are repealed.

9. Legislative Provisions

Local Government Act 1995 and Regulations
Work Health and Safety Act 2020
Fair Work Act 2009
Freedom of Information Act 1992
Corruption, Crime and Misconduct Act 2003
State Records Act 2000
Disabilities Services Act 1993

10. Acknowledgement of Shire of Chittering Employee Code of Conduct

I, hereby confirm that I have familiarised myself with the Shire of Chittering's Code of Conduct and am aware of my obligations and responsibilities.

Signature

Date