

Employee Code of Conduct

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Preamble

This Code of Conduct sets down the minimum standards of behaviour expected from all persons appointed to represent Towong Shire Council ('Council'). The behaviours we each display are critical in determining the relationships we have with one another and ultimately how effective we are both individually and collectively.

The Code explains what is expected of all of us in our roles and how we carry out our mission with efficiency, impartiality and integrity. It reflects our core organisational values and forms part of our contracts of employment. All staff are required to read this Code, become familiar and act in accordance with it.

The Code has been developed in accordance with the requirements and principles of the *Local Government Act 2020* which governs the operations of councils in Victoria, and other relevant legislation. It is noted that nothing in this Code overrides or is a substitute for relevant legislation.

It is important to be aware that if you breach the standards set out in this Code, you may be subject to disciplinary action which may range from counselling to termination of employment.

To whom does the Code apply?

This Code applies to all employees of the Council including permanent, fixed-term, part-time and casual staff, trainees and apprentices. It also applies to volunteers. It is a condition of your employment that you comply with the Code. Therefore, you should read it and become familiar with it.

Whilst not directly governed by the Code of Conduct, contractors are also expected to behave in a manner that is consistent with the principles of this Code.

What if I am unsure?

If you are unsure about any aspect of this Code, you should discuss the issue with your immediate supervisor. If you are still unsure you should discuss the issue with your Director.

Relationship to Local Government Act

Section 49 of the *Local Government Act 2020* provides that the Chief Executive Officer must develop and implement a code of conduct for members of Council staff. It must contain a gift policy,

procedures for dealing with alleged and actual breaches of conflicts of interest, and provisions for the Chief Executive Officer to take disciplinary action against a member of Council Staff.

The Chief Executive Officer must ensure that members of Council staff have access to the Code of Conduct.

Strategic Context

The activities of the Council are underpinned by the *Council Plan 2021-2025*, which sets out the overarching community vision, along with the Council’s mission, objectives, strategies and priorities, and the values that describe how we work together. It is based on comprehensive community engagement and informs everything that we do. Key aspects of the *Plan* are as follows.

Community Vision 2031

The vision articulates the aspirations that our community has for the future:

“Towong Shire will be the ideal place to be: welcoming, vibrant and diverse communities with quality facilities and services”.

Our Mission

The mission describes our core purpose in delivering on the vision:

“To provide strong leadership and to work with our communities to enhance their social, economic and environmental wellbeing.”

Our Values

Our values describe how we work together constructively to deliver on our objectives:

Respect	We will listen and consider other perspectives and treat each other with courtesy.
Integrity	We will be honest with strong moral principles.
Pride	We will always take care in what we do.
Teamwork	We will help others to achieve by being positive, enthusiastic and confident.

All staff are strongly encouraged to become familiar with the *Council Plan 2021-2025*.

Our staff have considered what our values mean in practice. Examples are provided below.

Value	This means...	This looks like...
Respect	<ul style="list-style-type: none"> • Listening even if you don't agree • Non-judgemental • Recognising that everyone in their differences brings something highly valuable to our work • Treating everyone equal • Don't discriminate • Be objective • Consistent, no favourites 	<ul style="list-style-type: none"> • Listen and then talk • No backstabbing • Being assertive is OK • Feedback in a positive manner • Call a spade a spade • Say what you mean, but don't say it mean • Consider others' perspectives • Same rules for everyone • Get the whole story
Integrity	<ul style="list-style-type: none"> • Being truthful • Best intentions to ourselves and others • No recriminations • True to your word • Trustworthy • Decent and ethical • Not seeking self interest • Common good more important than personal gain • Doing the right thing by who you are representing 	<ul style="list-style-type: none"> • Do what you say • Maintain confidences • Don't compromise your personal values • Acting in the common good • Don't BAG the organisation • Being discrete • Sort out problems internally • Issues addressed as they arise
Pride	<ul style="list-style-type: none"> • Very satisfied with what you've achieved • Care about what you're doing 	<ul style="list-style-type: none"> • Strive to achieve personal standards • Dotting "I's" and crossing "T's" • Doing the extra bit • Use 'positive' language • Celebrate success • Commit yourself • Have a go

Value	This means...	This looks like...
Teamwork	<ul style="list-style-type: none"> • Helping others to achieve • Keeping positive • Getting involved • As a leader, providing clear direction • Confidence in others to do the right thing • Optimistic • Enthusiastic • Looking for upside/brightside/strengths • Supporting ideas • Recognising good work • "Great Stuff" • Can Do! • Being punctual • Don't just do it once, keep doing it • Dependable 	<ul style="list-style-type: none"> • Keeping positive • Backing up each other • Lets others act • Be on time • Do what you say • Doing what is required (at least!)

Honesty and Integrity

Employees will maintain honesty and integrity in all their dealings with each other and with the community.

Respect for Others

Due respect will be shown to each other, to members of the community and to any other person who has contact with Council. This includes:

- Acting and being seen to act properly and in accordance with the requirements of the law, one's delegated responsibilities and the terms of this Code;
- Observing the principles of equal opportunity;
- Performing duties impartially and to the best of one's ability;
- Refraining from conduct and the use of offensive language that would cause any reasonable person offence or embarrassment;
- Treating others with the respect that one would expect from any organisation committed to quality customer service.

Dress and Appearance

While on Council duty, dress and appearance is to be neat, clean and appropriate to the duty being undertaken and will be consistent with the general expectations of the community. Any uniform or Personal Protective Equipment (PPE) provided by Council must be worn where this is required for the function that is being performed.

Alcohol and Drug Use

Illicit drug use is not permitted at any time while on duty. The consumption of alcohol is strongly discouraged at all times while on duty.

In order to ensure a safe working environment, Council prohibits the improper or inappropriate use of alcohol and illicit substances during work or at times when their use may affect your ability to work safely.

If you are taking any medication, you should consult your doctor or pharmacist to find out whether it might have any side effects that could affect your ability to work safely. Notification of medication is to be reported to your direct supervisor.

Presenting fit for work

Council recognises that an individual's fitness for work may be affected by their physical wellbeing, or from the adverse effects from fatigue, stress, alcohol, illicit drugs or medication.

Management will endeavour to identify those at risk and acknowledges fatigue, stress, and the use of alcohol, illicit drugs or medication may be symptoms of an underlying issue. Where appropriate, Council will assist an affected employee in accessing appropriate assistance for any identified issue.

All employees have a responsibility to assess their own fitness for work and to take appropriate actions. Employees are reminded that they have a legal responsibility under the *Occupational Health and Safety Act 2004* to take reasonable care for their own health and safety, take reasonable care for the health and safety of others who may be affected by their acts or omissions, and to cooperate with their employer in relation to meeting their obligations.

Performance of Duties

While on duty, employees are to give their whole time and attention to Council business and ensure that their duties are carried out efficiently and effectively in accordance with the expectations of Council. Duties are to be conducted within the scope of the employees' authority and in a manner consistent with relevant legislation and Council's policies. Employees are not to take advantage of their position in order to obtain undue or improper advantage for themselves or anyone else.

Compliance with Lawful Directions

Employees are to carry out any lawful direction given by someone with the appropriate authority regardless of whether or not they personally agree with or approve of the direction.

Management Practices

Employees are to comply with all reasonable and proper management practices and directions.

Professional Advice

There will be no restrictions or undue influence placed on the ability of employees or others to give impartial professional advice to the Council.

Use of Confidential Information

During your employment at the Council you may be exposed to information that must be treated confidentially. Any unauthorised use or disclosure of information relating to, but not limited to:

- Proposed property developments,
- Land use planning information,
- Contractual matters,
- Security matters,
- Legal matters,
- Personnel matters,
- Private customer information, or
- Closed sessions of Council meetings,

may adversely affect the Council's reputation, legal obligations and your future with the Council.

Confidential information is not to be used or disclosed except for in the proper course of performing Council duties, either during employment or after leaving the organisation.

In particular confidential information is not to be used for personal gain or for any other reason which is inconsistent with the obligation to act impartially and in the interests of the community. Confidential information is not to be used to cause harm or detriment to any other person, body or the Council.

If a recognised law enforcement agency or other government or judicial body approaches you for confidential information you should refer them to your Director or the Chief Executive Officer.

Employees are encouraged to familiarise themselves with Council's *Public Interest Disclosures Policy*.

Computer Technology

All employees will use Council's information technology systems and equipment in a lawful manner consistent with the Council's policies and procedures including this Code of Conduct and the *Computer and Mobile Device Use Policy*.

Council's systems must not be used to deliberately access, store or distribute pornographic or any other offensive material.

Customer Service

Our customers are to be provided with the highest standard of customer service in a manner that:

- Demonstrates exemplary integrity;
- Provides for a safe and friendly environment for customers;
- Is fair and respectful, without discrimination or harassment.

All decisions and actions are to be evaluated in terms of their impact on customers.

Interactions with Councillors

Council staff can be a valuable source of support, advice and information to Councillors. In the interest of consistent communication, accountability and appropriate task management, Councillors are to direct requests for information or feedback from staff to the Chief Executive Officer or relevant Director.

Staff may deal with personal enquiries from Councillors as they would any other customer.

It should be noted that Councillors do not have the authority to direct any member of staff to do something. Section 123(3)(c) of the *Local Government Act 2020* states that directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff is a misuse of position by a person who is or has been a Councillor.

If you feel you are being directed by a Councillor to do something, and it is not simply a request for service from a customer, you should report the matter to your Director or the Chief Executive Officer. Your Director will, in turn, raise the matter with the Chief Executive Officer where they believe that your concerns are warranted.

Councillors are to be treated with the same professional courtesy and respect with which we treat customers and colleagues.

No employee will actively support or discourage candidates to Council elections. There will be no canvassing of Councillors for improper personal gain.

Working Relationships

All employees will maintain appropriate professional standards of behaviour in their dealings and interactions with others.

Personal Interest

There will be no conflict or incompatibility between personal interests and the impartial fulfilment of one's public or professional duties. Please refer to the Conflict of Interest section of this document.

Health and Safety

All employees are required to observe Council's *Occupational Health and Safety Policy* and related procedures. Any potential risks or hazards are to be reported and Council premises and workplaces are to be used and maintained in a manner that provides for the health and safety of all who may attend them.

Discrimination, Harassment and Bullying

Council is committed to the provision of a safe environment in which employees, contractors and customers feel comfortable, secure and motivated. Harassment and bullying are not consistent with this commitment and are not tolerated in any form. Discrimination based on personal characteristics such as race, descent, nationality, ethnic origin, immigrant status, sex, gender identity, sexual orientation, marital status, breastfeeding, pregnancy, family responsibilities, parental status, disabilities, disfigurement, diseases, illnesses, medical conditions or beliefs, will not be tolerated. Discrimination, harassment and bullying may also be against the law. Refer to the *Discrimination, Harassment, Bullying, Equal Employment Opportunity and Diversity Policy* for further information.

Any breaches should be reported; no-one will be victimized for raising a complaint.

Equal Opportunity and Diversity

Council is committed to providing all employees and other persons with equal opportunity and recognises the value that can result from a diverse workforce. Diversity refers to the uniqueness of and differences between people and may encompass their characteristics, skills, knowledge, life and work experiences, education level, socio-economic background and perspectives. Decision making relating to people management will be based on clear pre-defined criteria and not on the basis of any

irrelevant factors, including those provided for in discrimination related legislation. Refer to the *Discrimination, Harassment, Bullying, Equal Employment Opportunity and Diversity Policy* for further information.

Initiations and Hazing

Hazing is conduct in which a person is subjected to humiliating, physical and/or mentally harmful activities as part of an initiation or rite of passage process. If the victim has not consented to the activities, then hazing may be considered as workplace violence or unlawful assault. Hazing or similar initiation activities are prohibited and will not be tolerated, and Council will pursue all appropriate legal avenues to address reported instances.

Reporting Inappropriate Behaviours

Employees are encouraged to contact their supervisor, the Director of Corporate and Organisational Development or their Union Delegate regarding problematic behaviour they have experienced or seen.

The employee must appreciate that the only way they can formally ask for their employer to do something about the conduct is if they submit the complaint in writing and sign it. Complaints will be handled in strict confidentiality in as much as possible while allowing for the complaint to be investigated and addressed with appropriate management oversight.

Any alleged incidents or behaviours should not be discussed outside of this reporting protocol to ensure that a fair and orderly investigation can take place. Upon investigation, claims which are found to be vexatious may be considered as misconduct on the complainant's part and appropriate action may be taken.

Counselling, mediation or conciliation may be considered as first steps in addressing the conduct and legal recourse may be sought for serious offenses which breach legislation.

The Employee Assistance Program will be offered to all affected employees including those reporting such behaviours.

Work Places

All places of work are to be given the due respect to which they are entitled. Worksites should be appropriately signed, secured, and left in a manner consistent with public expectations and legal requirements. They should be maintained in a manner which minimises the risks to the health and safety of all persons.

In particular, customer service areas are to be maintained in a neat, friendly and informative manner which supports the provision of quality customer service.

Meeting rooms are to be presented and left in a manner which portrays the professionalism of Council in accordance with organisational standards.

Smoking

Smoking is not permitted in Council owned or controlled buildings at any time.

Smoking is not permitted in Council owned or leased vehicles at any time. The restriction applies regardless of whether the driver is alone or with other smokers.

Smoking is not permitted within 15 metres of the entrance to an indoor worksite (unless a designated smoking area), or on the grounds of childcare centres, kindergartens, or swimming pools.

Any employee who wishes to give up smoking will be provided with assistance and encouragement through, for example, the QUIT program.

Employees may refer to the *No Smoking Policy* for further information. Breaches may be subject to disciplinary action and this may result in an employee being dismissed.

Use of Council Assets and Resources

We all share the responsibility for maintaining and protecting Council assets and resources, including:

- Land and buildings
- Plant and equipment
- Materials, supplies and consumables (in the office, depots and other work locations)
- Scrap and waste
- Facilities
- Motor vehicles, fuel, spare parts and accessories
- Office equipment
- Communication and information devices and services (such as phones, computer equipment, internet and email services)
- Information obtained and used by Council and related to Council activities
- Staff time
- Funds

Employees will be honest in their use of Council assets and resources, which are not to be misused, permitted to be misused or appear to be misused by any person or body.

Significant and substantial use of Council resources for private purposes is not permitted, except when supplied as part of a contract of employment or when the use is lawfully authorised and any required payment is made by the user.

Employees must not remove, borrow, damage or destroy any Council property or assets regardless of age or condition. This includes using any Council assets or services for personal gain or for any improper or illegal use.

All staff members have a responsibility to report any damaged or dangerous equipment of which they become aware.

The Council's property must not be given away, lent, destroyed or otherwise disposed of unless authorised by the relevant supervisor in accordance with Council policy. Any policies regulating the use of Council resources are to be observed at all times.

Travelling and Sustenance Expenses

There will be no claim made for, or acceptance of, travelling and sustenance expenses that do not arise from authorised Council business.

Council will not reimburse 'mini bar' expenses. The only exception to this is the reasonable consumption of non alcoholic refreshments.

Theft and Fraud

Any attempt to steal from the Council or deliberately or recklessly defraud the Council is considered misconduct and will result in disciplinary action that may include termination of employment and referral to the Police for possible criminal prosecution.

Gifts, Benefits and Offers of Hospitality

From time to time, gifts, benefits or hospitality may be given to staff as a token of appreciation, gratitude or in the spirit of maintaining corporate relationships. A gift is anything of monetary or other value and includes free or discounted items or services. A benefit is preferential or privileged treatment, favours or another form of advantage. Hospitality is the friendly reception of guests and may involve, for example, refreshments, travel, entertainment and accommodation.

Staff may not accept gifts, benefits or hospitality that could bring their integrity or that of the Council into disrepute. This includes gifts, benefits or hospitality that may create a conflict of interest whether real, potential or perceived. Examples include:

- Gifts which can easily be converted into money;
- Gifts from an individual or group involved in a permit application;
- Gifts from current or prospective suppliers.

Staff should not accept a gift or hospitality if it is likely to be perceived by a 'reasonable person', as intended to, or likely to, influence him/her in the fair, impartial and efficient discharge of their duties.

Under no circumstances should staff accept a cash gift or an offer that may be an attempted bribe.

Staff must not solicit gifts for themselves or anyone else in any form for anything done in the pursuit of Council duties.

Staff may accept token offers of gifts, benefits and hospitality where there is clearly no suggestion of a personal obligation, and should consider the following questions in assessing whether to accept an offer:

- **Giver** – who is providing the offer and what is their relationship to me? Could they benefit from a decision I make?
- **Influence** – are they seeking to gain an advantage or influence my decisions or actions?
- **Favour** – Are they seeking a favour in return?
- **Trust** – Would accepting the offer diminish public trust?

In some circumstances it may be highly offensive to refuse the offer of a gift in which case the Chief Executive Officer should be consulted before the offer is accepted.

All offers over \$30 whether accepted or declined must be declared, submitted to the Director Corporate and Organisational Development, and recorded in the Staff Gifts Register within 7 days of the offer being made. The declaration should include a description of the offer, its estimated value, the name and address of the gift giver, and what was done with the gift. The Register will be monitored periodically to identify systematic patterns of offers which may be of concern.

Reasonable hospitality provided when attending a function or event in an official Council capacity does not need to be declared. The hospitality must be of a standard and type that an independent observer would consider appropriate and not excessive, for example sandwiches and pastries over a lunchtime meeting, or a cup of coffee.

Where prohibited gifts, benefits or hospitality are offered they are to be reported to the Director Corporate and Organisational Development so that their refusal can be appropriately recorded in the Staff Gifts Register and otherwise dealt with. Bribes will be reported to the Victoria Police or the Independent Broad-based Anti-corruption Commission.

Council does not base the execution of its functions on the inducement of a gift or hospitality nor will a gift or hospitality affect how such a duty or function is performed.

Media Comment

The Council seeks to maintain a professional image by ensuring that any commentary made to the media is truthful, accurate and consistent. The Mayor is the principal spokesperson for the Council and the Chief Executive Officer may also make comment under delegation. Under the approval of the Chief Executive Officer, Directors may make comment to the media on matters relating to their areas of responsibility.

Where the media makes inquiries directly to staff members they are to be referred to the Communications team.

Staff may share Council posts and website links on social media however should refrain from passing comment or sharing information in any way that may pose reputational risk.

Public Appearances

To ensure consistency is maintained in the course of public speaking engagements, similar to the consistent approach taken in making comment to the media, any invitation provided to an employee to speak for or on behalf of the Council must be approved by the Chief Executive Officer.

Social Media

Social media refers to the internet based applications that allow interaction amongst people in which they can create, exchange and modify information and ideas in virtual communities and networks. It can be a powerful communication tool for Council and used to facilitate online collaboration and engagement.

Only representatives authorised by the Chief Executive Officer may post to Council's official social media platforms, and posts made on behalf of Council will only be made via official Council accounts.

Staff may share Council posts and public information available on Council's website to enhance exposure and communication but should refrain from passing comment. Council supports the use of social media for professional purposes such as communicating with professional colleagues, acquiring information, and for educational or professional development activities.

Private use of social media in the workplace can impact on employee safety and productivity, therefore is not condoned. Employees are not to access social media sites for private purposes whilst operating or working near machinery, vehicles and plant.

Generally, activities conducted outside of employment (outside of normal working hours) are an employee's own affair. However, activities that affect an employee's job performance, the performance of others, the employer's business or the employer's reputation will not be condoned or accepted, and may be investigated and actioned as a breach of this Code of Conduct.

In using social media for personal communication, staff should not purport to speak on behalf of Council, and must not:

- Damage the reputation of Council,
- Use Council's intellectual property or copyrighted materials,
- Disclose sensitive or confidential information, or
- Post offensive or defamatory comments.

Council does not support or condone the viewing or sharing of inappropriate, offensive or pornographic material, including but not limited to images, words, phrases or articles.

Employees should note the consequences of using social media, for example, they may be breaking Australian laws that may attract external attention and action. Also, once something is posted online, it should be considered "permanent" and easily passed around to other users.

Employees should be aware that all web browsing is logged. Only the CEO, Directors and specific nominated staff such as the IT Officer have the authority to access these logs.

Council may, from time to time, monitor and/or audit staff compliance with this policy. If Council discovers breaches of this policy, they may elect to address those breaches through the disciplinary process.

Leaving the Council

On finishing your employment with the Council, you must return all Council property including documents, materials, computer hardware and software, keys, identification cards, and any other Council owned property under the control or in the possession of the employee. This includes any intellectual property that may have been created whilst working for the Council.

If the employee has not returned all of the Council's property in his/her possession, Council may withhold any monies owing to the employee from the employee's salary and entitlements at termination.

Employees may opt to take part in an exit interview upon their departure to provide feedback on their experience of the workplace.

Environment

All employees should consider the impact of their activities on the environment and on our communities. We are proud of the natural pure environment that is Towong Shire and accordingly it is incumbent upon all of us to ensure that we minimise damage to the environment. Such things to be considered should include the way in which waste is generated and disposed of; the way that chemicals are used and stored and other resources used. Consideration should always be given to whether we can reduce, reuse or recycle. Single use shopping bags should be avoided when purchasing goods in support of Council activities wherever possible.

Disciplinary process

The Chief Executive Officer or relevant supervisor under delegation may take disciplinary action in relation to breaches of this Code of Conduct or any other Council Policy, or in relation to any other employee performance issues. Councils utilises the disciplinary processes and guidelines outlined on the Australian Government Fairwork Ombudsman website located at: <https://www.fairwork.gov.au/employee-entitlements/managing-performance-and-warnings>.

Conflict of Interest Policy and Guidelines

What is a conflict of interest?

A staff member has a conflict of interest when they have a personal or private interest that might compromise their ability to act in the public interest. A conflict of interest can exist even if no improper action results from it.

It is essential that members of the public, when dealing with Council, can be confident that when making decisions Councillors, staff and delegates are free of any conflicts of interest.

Section 130(2) of the *Local Government Act 2020* requires that a staff member who has a conflict of interest in respect of a matter arising in the course of exercising a delegated power or a statutory function must disclose the conflict of interest in the manner required by the council's *Governance Rules* and exclude themselves from the decision making process in relation to the matter.

In accordance with Council's *Governance Rules*, staff must upon becoming aware of the conflict of interest, immediately provide a **written notice** to the Chief Executive Officer explaining the nature of the conflict of interest. If the officer is the Chief Executive Officer then the written notice must be given to the Mayor.

Upon disclosure, an employee may provide advice to Council or another employee provided that they are the only employee with expertise in the area, their Director determines that the conflict has not influenced the advice provided, and the conflict is documented in all advice provided by the employee (or in the case of verbal advice is documented by the decision maker). The determination is to be made by the Chief Executive Officer where the employee is a Director, and by the Mayor and one other Councillor where the employee is the Chief Executive Officer.

Any Council report prepared by an employee who has a conflict of interest in the matter outlined in the report must record the fact that the employee disclosed the conflict.

Types of conflicts of interest

A *general conflict of interest* exists if an impartial, fair-minded person would consider that the employee's private interests could result in that person acting in a manner that is contrary to their public duty.

Private interests may include both direct and indirect interests. A *direct interest* occurs where it is reasonably likely that your benefits, obligations, opportunities or circumstances will be directly altered if the matter is decided in a certain way. An *indirect interest* occurs where you have an association with a person or group who has a direct or indirect interest in the manner, such as a family member, business partner, friend or community group.

A *material conflict of interest* occurs if the employee would gain a benefit or suffer a loss depending on the outcome of the matter, whether financial or another type of gain or loss such as an impact on your residential amenity.

Any situation where you may be influenced in how you carry out your Council work or public duties, due to a personal interest, or your knowledge of an associate's personal interests, may be a conflict of interest.

Are perceptions of conflicts of interest important?

Perceptions of conflicts of interest are as important as actual conflicts of interest. Therefore even if you do not consider that you have a conflict it is important to consider how a reasonable person would view the situation.

How to decide what is a conflict of interest

It is the responsibility of the individual to determine whether a conflict of interest exists, however it would be prudent to err on the side of caution and seek independent advice where there is doubt.

The following questions will help staff decide, in the first instance, whether a conflict of interest exists, or whether their behaviour could create the impression that it does, and so undermine confidence in the Council. If you answer 'yes' to any of these questions, you must seriously consider your position:

- Do I, a close associate or other associate stand to gain or lose financially from Council's decision or action on this matter?
- Do I, a close associate or other associate stand to gain or lose my/our reputation because of Council's decision or action?
- Have I contributed in a private capacity in any way to the matter before Council?
- Have I made any promises or commitments in relation to the matter?
- Have I received a benefit or hospitality from someone who stands to gain or lose from Council's consideration of the matter?
- Am I a member of an association, club or professional organisation, or do I have particular ties and affiliations with organisations or individuals, who stand to gain or lose from Council's consideration of the matter?
- Could there be benefits for me in the future that could cast doubt on my objectivity?
- If I do participate in the assessment or decision-making, would I be happy if my colleagues and the public became aware of my association or connection?
- Would a fair and reasonable person perceive that I was influenced by personal interest in performing my public duty?

In case of any doubt advice should be sought.

Additional considerations

Supervisors aiding in the assessment of conflicts of interest should consider whether all relevant information is available to ensure proper assessment and whether legal or other advice should be obtained. If there could be any doubt as to Council's integrity or reputation the best avenue should be pursued to ensure impartiality, fairness and to protect the public interest.

Outside employment

No employee of Council will engage in private work with or for any person or body with an interest in a proposed or current contract with the Council, nor will they undertake any outside employment or other business dealings which may reasonably relate to their Council duties or current or future activities of Council, without first receiving written approval from the Chief Executive Officer. If the outside involvement (whether paid employment or not) is considered likely to create conflicts of interest and duty, and the conflicts cannot be appropriately managed, the officer must choose between the outside involvement and their Council employment. These conflicts may be real or apparent.

Relatives, close friends and associates

Employees are not to deal with relatives, close friends or associates in relation to regulatory, inspectorial, recruitment or other like matters without making a full disclosure to the Chief Executive Officer. It is generally advisable to exclude oneself from such situations where possible.

Breaches

Where an employee has a conflict of interest and does not disclose the conflict of interest in **writing** to the Chief Executive Officer the staff member may be subject to disciplinary action which may range from counselling to termination of employment. The onus is on employees to disclose such information. Alleged breaches will be subject to investigation under the guidance of the Director Corporate and Organisational Development or the Chief Executive Officer, or led by the Mayor where the conflict pertains to the Chief Executive Officer. Advice may be sought from the Local Government Inspectorate as to the appropriate treatment including disciplinary measures to be applied in the case of actual breaches; penalties may apply as outlined within the *Local Government Act 2020*.

What if I am unsure?

If you are unsure about any aspect in relation to conflict of interest you should discuss the issues with your immediate supervisor. If you are still unsure you should discuss the issues with your Director or the Chief Executive Officer.

Acknowledgements

Sincere thanks are extended to Bass Coast Shire Council, Baw Baw Shire Council and Corangamite Shire Council for access to and use of their Employee Code of Conduct documents during the preparation of this document.

Need more information?

Should you have any queries about this Code of Conduct please contact your Director or the Chief Executive Officer.

Please complete the attached slip confirming that you have received and read the Towong Shire Council Employee Code of Conduct and agree to be bound by it.

Thank you

Juliana Phelps

Chief Executive Officer

Authorised by:



Juliana Phelps

Chief Executive Officer

Employee Code of Conduct

I have received and read a copy of the Towong Shire Council Employee Code of Conduct and agree to be bound by it:

Signature: _____

Name: _____

Position: _____

Date: _____

Please return this slip to:

HR Officer
Towong Shire Council
PO Box 55
Tallangatta VIC 3700
Ph: 02 6071 5100
E: hr@towong.vic.gov.au