

Application of the Code

The Employee Code of Conduct (the Code) prescribes standards and behaviours for all persons working on behalf of Charters Towers Regional Council (Council), including, but not confined to, permanent, temporary, and casual employees, as well as volunteers, contractors, consultants, and students (workers), that are consistent with Council's corporate values, legislative principles, and principles under the Code. The Code details the expectations of Council to contribute towards a positive workplace culture that focuses on the best interests of its workers and the general public.

Council policies, guidelines, and procedures provide the details of the standards which this Code summarises, and any action or conduct which breaches those standards may equally constitute a breach of the Code and result in disciplinary action.

Responsibility under the Code

All employees are responsible for complying with and implementing the Code within the workplace. Council will ensure that training on the Code is provided and that new workers participate in training through the induction process.

Workers - workers are responsible to ensure their conduct and behaviour is in accordance with the Council's corporate values, legislative principles, and principles under the Code. Inappropriate conduct or behaviour must be reported.

Managers - managers, identified as those with supervisory responsibilities, have a responsibility to uphold Council's corporate values, legislative principles, and principles under the Code. Managers must ensure their conduct and behaviours are aligned to the standards of the Code and that they proactively address conduct or behaviour of others that may be contrary to those standards. Exemplary conduct or behaviour should be encouraged.

Council - Council is responsible for ensuring the Code is regularly reviewed, reflects the expectations of Council and the general public, and is actively upheld and communicated.

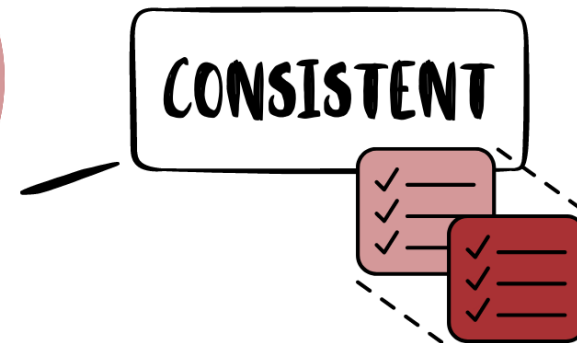
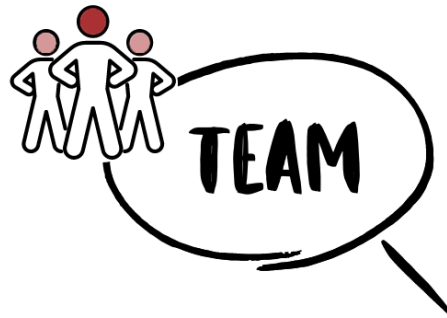
When does the Code apply?

The Code covers conduct as a public official and behaviour as individuals while at work and also outside of the workplace where behaviour may be directly related to employment and Council activities. It also applies in other circumstances where individual actions may impact upon the reputation and activities of Council.

If in doubt, ask

If employees have doubts about a particular course of conduct, they are encouraged to consult the Code, the specific relevant policies, or to seek advice from their supervisor, other suitable manager, or Human Resources. Help and advice are always available.

OUR VALUES



WE ARE A **C**OMMUNITY FOCUSED **T**TEAM WHO ARE **R**RESPECTFUL AND **C**CONSISTENT

HR-P-001 Employee Code of Conduct

Model for Ethical Decision Making

The following is a simple model designed to assist employees in ethical decision making.

- Is the action or decision legal and consistent with government policy and legislation?
- Is it in line with the position description, code of conduct, policies, procedures, and standard protocol?
- Will the outcome of the decision be positive for Council, my colleagues and/or me?
- Would my decision stand up to public scrutiny and would it protect Council's image in the community?

If the answer is YES to these, the action or decision based on the following principles of conduct is most likely the correct one.

Legislative Principles

The *Local Government Act 2009 (Qld)* outlines the responsibilities of local government employees. These responsibilities include observing all laws relating to their employment and the ethics principles under the *Public Sector Ethics Act 1994 (Qld)*, and complying with a code of conduct.

The Public Sector Ethics Act identifies four fundamental ethical principles that guide employee behaviour and conduct, and which form the basis of this Code. The four principles are:

1. Integrity and Impartiality;
2. Promoting the Public Good;
3. Commitment to the System of Government; and
4. Accountability and Transparency.

To ensure the system of local government is accountable, efficient and sustainable, the Local Government Act also requires that actions of Council employees, and anyone who is performing a responsibility under the Local Government Act, be consistent with the following principles:

- Transparent and effective processes and decision-making in the public interest;
- Sustainable development and management of assets and infrastructure, and delivery of effective services;
- Democratic representation, social inclusion and meaningful community engagement;
- Good governance of, and by, local government; and
- Ethical and legal behaviour of councillors and local government employees.

Principle 1. Integrity and Impartiality

Workers must:

- Follow lawful directions and reasonable instructions;
- Undertake their duties and responsibilities within the requirements of the law as it applies to the workers work;
- Make decisions impartially and faithfully;
- Report conflicts of interest in accordance with policy;
- Be committed to honest, fair and respectful engagement with colleagues, external stakeholders, and the community; and
- Conduct themselves in accordance with best practice equal employment opportunity principles, and work with Council to achieve a workplace free from discrimination, harassment and bullying.

Principle 2. Promoting the Public Good

Workers must:

- Be committed to excellent customer service that meets service standards and expectations;
- Take all reasonable steps to ensure the health and safety of themselves, their colleagues, and the community;
- Diligently and proactively report risks and hazards and pursue controls that will eliminate or minimise risk where ever possible;
- Undertake their duties and responsibilities in a conscientious and ethical manner that promotes community trust and confidence in Council;
- Be aware of and work within their delegation of authority and in accordance with the scope of their duties and responsibilities; and
- Utilise and manage Council resources and assets economically and respectfully, in accordance with policy.

Principle 3. Commitment to the System of Government

Workers must:

- Accept and value their duty to uphold the system of government and the laws of the Commonwealth, State, and Local Government;
- Be committed to conduct and behaviour that supports public confidence; and
- Be fair, transparent and impartial in the performance of their duties and do not use their official powers or position improperly.

Principle 4. Accountability and Transparency

Workers must:

- Undertake their duties and responsibilities, and provide considered, independent and comprehensive advice, regardless of their personal political preferences or beliefs;
- Ensure that policies, procedures or guidelines are clear, explained to those who are impacted or covered by them and are regularly reviewed to maintain relevance;
- Perform their duties and responsibilities with a high level of care, diligence and competency;
- Be committed to complying with reporting requirements;
- Maintain confidentiality and privacy of Council, other workers and customers;
- Conduct themselves in an ethical and trustworthy manner, which includes not accepting or asking for gifts or benefits that may be for the purpose of influence e.g. that it is, or may be seen, to affect the performance of the recipient's official duties, or otherwise influence, or be seen to influence, the decision-making behaviour of the recipient; and
- Immediately report inappropriate conduct and behaviours.

Breaches of the Code

Conduct or behaviour in breach of the Code will be taken seriously by Council and will not be tolerated.

Where workers observe conduct or behaviours that may be considered to be a breach of the Code, its supporting policies or the law, they are encouraged to:

1. 'Call it' – this means to discuss the matter with the person involved in the potential breach, so it can be quickly addressed and resolved.
2. If you don't feel comfortable 'calling' the conduct or behaviour, or 'calling' the conduct or behaviour has not addressed or resolved the matter, potential breaches can also be reported to any of the following:
 - i. Your supervisor/manager or one-up manager;
 - ii. Human Resources;
 - iii. a member of the Executive Leadership Team or the Chief Executive Officer (CEO);
3. Where the observed breach is of a serious or potentially corrupt nature, workers should report the breach directly to Human Resources, a member of the Executive Leadership Team, or the CEO.

The Code does not specifically cover every situation, however, the values, ethics, standards and behaviours outlined are a reference point to help make decisions and guide behaviours in situations not specifically covered.

What If You Report a Breach?

Internal Complaints

Where an employee suspects a breach of this Code may have occurred, they must refer to Council's Grievance Policy and Procedure for further guidance as to how to proceed.

Any consultant, contractor, volunteer or other individual who has been issued with the Code, should also raise their concerns through the same channels.

Where the CEO suspects an issue may be deemed to constitute corrupt conduct or official misconduct, he/she has an obligation to raise this with the Crime and Corruption Commission who will either investigate the issue or task the CEO with investigating the issue.

External Complaints

This Code is published on the Council website and is visible to external parties.

Where a customer wishes to complain about a breach of this Code, they should be provided with a copy of the Complaints Management Policy and Procedure and advised to make their complaint in writing to the CEO.

Customers may decide, however, to take their complaint to appropriate governing bodies, in which case the CEO will respond to any allegations presented to him/her.

Public Interest Disclosure Complaints

Public interest disclosure complaints are identified and managed under the Public Interest Disclosure Policy and Procedure, a copy of which is located on Council's intranet and website.

Any person wishing to make a public interest disclosure is to be provided with the policy and procedure and advised that the disclosure may be made to the CEO.

A complainant should provide Council the opportunity to address concerns directly, however if the matter is one of public interest that is so serious, or the individual does not believe that these channels of communication can be used, they may decide to raise their concerns to the appropriate authority under the provisions of the Act.

If you report a breach:

- You are required to keep the matter confidential, except as authorised by law or to enforce legal rights and participate in any potential investigation process.
- Be aware that Council does not tolerate bullying or the provision of false or misleading information used to bring someone into disrepute (i.e., those claims found to be unsubstantiated and made with the intention of causing detriment to another person).
- In a similar manner, Council does not tolerate the victimisation of, or reprisals against, employees who report a potential breach.

There are serious penalties under the *Crime and Corruption Act 2001 (Qld)* for any person who threatens, intimidates or harasses (or attempts to do so) any person who gives evidence or helps the Crime and Corruption Commission in the performance of its

functions. There are also penalties under the *Public Interest Disclosure Act 2010 (Qld)* for anyone who commits a reprisal against a person who has made a public interest disclosure.

Consequences of a Breach

Consequences for breaching the Code will vary depending on the extent of the breach and every breach will be assessed on a case-by-case basis. In the most serious circumstances, breaches could result in dismissal and where required, notification to the Crime and Corruption Commission and/or the Police for investigation. Less serious breaches may be dealt with by disciplinary processes and relevant warnings.

Variations

CTRC reserves the right to vary, replace or terminate this policy from time to time.

Associated Documents

- *Public Sector Ethics Act 1994 (Qld)*
- *Public Interest Disclosure Act 2010 (Qld)*
- *Local Government Act 2009 (Qld)*
- *Local Government Regulation 2012 (Qld)*
- *Industrial Relations Act 2016 (Qld)*
- *Crime and Corruption Act 2001 (Qld)*
- *Work Health and Safety Act 2011 (Qld)*
- *Anti-Discrimination Act 1991 (Qld)*
- *All Council Policies & Procedures and associated documentation*

POLICY REVIEW:

The document is to be reviewed upon changes to relevant legislation, or every two years if no changes have been required to be enacted.

Policy Adopted: Council's General Meeting

Policy Contact: Executive Manager Human Resources

Policy Authorised: Martin Drydale
Chief Executive Officer

Document ECM Number: 1314977

WORKPLACE PARTICIPANT ACKNOWLEDGEMENT

I acknowledge:

- *receiving the Employee Code of Conduct;*
- *that I must comply with the policy; and*
- *that there may be disciplinary consequences if I fail to comply, which may result in me being dismissed from my employment.*

Your name:

Signed:

Date:



Employee Code of Conduct

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