

	EMPLOYEE CONDUCT POLICY	Version No:	1.0
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		To be Reviewed	July 2023

Type	Governance
Category	CEO Unit
Responsible Officer	Chief Executive Officer
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Applicable legislation	Local Government Act 1999 (SA) Local Government Regulations 2013 (SA)
Related Documents	
Public Consultation Required	No
File Reference	145.2.4

1. PURPOSE

The Employee Conduct Policy (**Policy**) clarifies the standards of behaviour expected of council employees in the performance of their duties and in carrying out their functions as public officials. The purpose of this Policy is ensure a high level of integrity in the conduct of business of council and to contribute to good organisational culture.

It is the personal responsibility of council employees to ensure that they are familiar with, and comply with, the standards in this Policy at all times.

This Policy operates in addition to the provisions contained in the *Code of Conduct for Council Employees* (prescribed for the purpose of section 110 of the Local Government Act (**Act**)), which commenced on 2 April 2018 and may be enforced in accordance with its terms and together with any relevant council policy concerning discipline, performance management or termination of employment having regard to the particular circumstances of any alleged breach.

2. PRINCIPLES

The Policy identifies principles that are fundamental to integrity in public administration and the good functioning of local government. Appropriate conduct and behaviours are derived from these principles:

- Integrity, impartiality and good decision making
- Promotion of the aims and objectives of local government
- Accountability and transparency
- Commitment to the system of local government

The alignment of these principles contributes to good organisational culture.

3. INTEGRITY, IMPARTIALITY AND GOOD DECISION MAKING

The principle of integrity, impartiality and good decision making underpins confidence in the dealings of local government, and assists the council in meeting its legislative obligations to the community, employees and council members. In keeping with this principle, all employees must:

1. act honestly, ethically, impartially, and with integrity, in the performance of their duties –
 - by ensuring decision making processes are (and are seen to be) fair and transparent;
 - providing advice that is objective, impartial, justifiable and lawful;
 - not influencing in an improper manner the making of decisions by others;
 - accepting or receiving gifts or benefits only in compliance with the Act, the Code of Conduct for Council Employees, and as may be supplemented by any relevant policy of council;
2. address conflicts of interest in accordance with the Act, as may be supplemented by any relevant policy of council, and whether actual, material, perceived or potential:
 - by identifying, declaring and managing those conflicts of interest so that conflicts (including perceived conflicts) do not interfere with the proper performance of duty;
 - reporting any concerns around conflict of interest management to direct supervisors or managers, and in the case of the chief Executive, to the Principal Member;
3. demonstrate a high standard of personal conduct and behaviours at work when dealing with other workers, councillors and the community by:
 - showing respect and demonstrating appropriate behaviours toward all persons, including employees, other workers, council members, and the public;

3. INTEGRITY, IMPARTIALITY AND GOOD DECISION MAKING (Cont'd)

- providing fair and balanced representation of the policies or direction of council;
 - demonstrating behaviours that support and promote the reputation of the council and do not reflect adversely on the reputation of the council;
 - ensuring conduct at work is free from harassment (being persistent unreasonable disturbance of a person or group where that behaviour could reasonably be expected to trouble or stress the person(s), including any form of sexual harassment);
 - ensuring conduct at work is free from bullying (being repeated unreasonable behaviour towards a person or group in circumstances where the behaviour creates a risk to health and safety); and
 - discrimination by ensuring compliance with anti-discrimination legislation and the policies of council designed to achieve a safe and healthy workplace;
 - responsible use of social media in accordance with any policies of council relating to social media;
4. comply with obligations to report suspected conduct in breach of this Policy in accordance with the mechanisms council has established for bringing of such reports or complaints;
5. comply with legislative obligations to report suspected maladministration in public office to the Office of Public Integrity, the Independent Commissioner Against Corruption, and/or the SA Ombudsman.

4. PROMOTION OF AIMS AND OBJECTIVE OF LOCAL GOVERNMENT

The principle supporting the promotion of the aims and objectives of local government ensures programs, services and resources are delivered to the community as intended by council. All employees must:

- comply with all relevant procedures and delegations of authority for the procurement of good and services by:
 - o ensuring confidential information which is marked, or reasonably known to be confidential, is kept in the strictest of confidence;
 - o not disclosing confidential or sensitive information to gain a direct or indirect advantage for any other person, or cause detriment to council;
- adhere to standards of professionalism and customer service that provide excellent community and customer outcomes by:
 - o engaging responsively with the community;
 - o communicating decisions and policy information with the community that is accurate and timely;
- remain accountable and responsible for the use and collection of public funds;

4. PROMOTION OF AIMS AND OBJECTIVE OF LOCAL GOVERNMENT (Cont'd)

- use their best endeavours to provide accurate information at all times;
- base decisions or actions on information that is factually correct, and after obtaining and considering all relevant information;
- comply with all lawful and reasonable directions;
- only make public comment when specifically authorised to do so, and restrict such comment to factual information and professional advice;
- take responsibility for the health and safety of themselves and others when carrying out their duties and activities, which includes general wellbeing and physical injury;
- maintain adequate documentation to support important decisions and actions;
- use council resources responsibly and for legitimate and authorised purposes only, and in a manner that does not cause harm to the community or environment.

5. ACCOUNTABILITY AND TRANSPARENCY

The principle supporting accountability and transparency contributes to community trust and confidence and ensures a high level of integrity in the conduct of business of or for council.

Council employees will:

1. deal with information (other than that lawfully in the public domain) received in employment in a responsible manner (including after employment with council) by:
 - using it for the purpose for which it was collected;
 - storing and allowing access to it in accordance with the law;
 - not using information improperly for gain, or to the detriment of council;
2. act with reasonable care and diligence in the performance of duty by:
 - complying with contractual obligations, instructions, policies and procedures of council and the expectations of the position reasonably made known to council employees;
 - respecting, complying with and carrying out the lawful policies, resolutions and decisions of council;
3. ensure proper and responsible use of resources of council including:
 - public property and facilities;
 - intellectual property, corporate knowledge, confidential and sensitive information;
4. commit to the continuous improvement of council's capacity and performance, its planning, processes and service delivery.

6. REPORTING AN ALLEGED BREACH

All employees must comply with the Policy or report any alleged breaches:

- to their supervisor or manager, or in the case of the Chief Executive, to the Principal Member of council. In the event that any factor prevents a report being made to a direct supervisor or manager, all reports are to be made to Chief Executive Officer;
- as may be required by the Act;
- as may be required pursuant to the Independent Commissioner Against Corruption Act (SA) 2012.

An employee who is found to have breached the Policy will be subject to counselling and/or other disciplinary action (including termination) in accordance with the law.

7. FURTHER INFORMATION

This policy will be available for inspection at the Council office, 94 Ayr Street, Jamestown (Ph. 8664 1139) during ordinary business hours and available to be downloaded, free of charge, from Council's internet site: www.nacouncil.sa.gov.au

Copies will be provided to interested parties upon request.

Email: admin@nacouncil.sa.gov.au