



Woorabinda Aboriginal Shire Council

Policy Name	Code Of Conduct - Employees		
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NOTE: Council regularly reviews and updates its policies and procedures. The latest controlled version can be obtained from the Policy Register by contacting Council.			

1. INTRODUCTION

1.1 CEO Statement

When you work or volunteer for Council you all are holding a position of trust. The standards of conduct of Council employees and volunteers at all levels are a matter of legitimate interest by your colleagues and the community. How we use our positions, powers, delegations and resources are central issues of this code of conduct. It is therefore essential that you have a clear understanding of your role as a Council employee or volunteer and of the standards to which you are expected to uphold. This policy is designed to provide assistance and guidance to enable us to apply appropriate ethical standards in all that we do.

1.2 Objective

A Code of Conduct is a set of standards and behaviours related to the way we do our work. It puts a responsibility on each of us to use sound judgement while at work.

It aims to deliver best practice by ensuring those standards are clear and guided by sound ethics. By consistently applying these standards, we enhance public trust and confidence in each of us. Nothing in this Code interferes with your rights as a private citizen or a ratepayer.

The Code does not cover every situation. However, the values, ethics, standards and behaviours it outlines are a reference point to help make decisions in situations it does not cover. If you act in good faith and in keeping with the spirit of the Code, you can expect to be supported by your colleagues, your team leader/supervisor/manager and by Council.

A 'Guide for ethical decision-making' is included at Appendix B to help you in situations not covered by the Code.

1.3 Council Statement

Council conducts its business with integrity, honesty and fairness and complies with all relevant laws, regulations, codes and corporate standards.

Everyone working for Council must follow the highest standards of behaviour when dealing with customers and each other. Our leaders must encourage a culture where ethical conduct is recognised, valued and followed at all levels.

Council actively supports, encourages and develops its employees to work safely, be customer focused, use technology and Council assets effectively, adapt to changes and improve their own capabilities and contribute to Council's Community, Corporate and Operational Plans.

2. LEGISLATIVE PRINCIPLES & CORPORATE VALUES

The Public Sector Ethics Act 1994 (Qld) identifies four ethics principles fundamental to good public administration that guide our behaviour as Public Officials and form the basis for a local government Code of Conduct.

The four principles are:

- (a) integrity and impartiality;
- (b) promoting the public good;
- (c) commitment to the system of government; and
- (d) accountability and transparency.

The Local Government Act 2009 (Qld) sets out the way in which a local government is constituted and the nature and extent of its responsibilities and powers. The Act requires Council's actions are consistent with the following local government principles:

- (a) transparent and effective processes, and decision-making in the public interest;
- (b) sustainable development and management of assets and infrastructure, and delivery of effective services;
- (c) democratic representation, social inclusion and meaningful community engagement;
- (d) good governance of, and by, local government; and
- (e) ethical and legal behaviour of councillors and local government employees.

These legislated principles, together with Council's corporate values, form the basis of this Code of Conduct. They apply to all employees and guide our thinking, actions and decision-making.

The values we share as employees of Council are:

- (a) passion for Woorabinda Community
- (b) responsive customer service
- (c) respect for people
- (d) courage to make a difference
- (e) working together
- (f) getting things done
- (g) value for money.

3. APPLICATION OF THE CODE

3.1 To whom does the Code apply?

All Council employees (regardless of their employment status, role or position – e.g. permanent, temporary, casual or part-time employees, managers, supervisors, team leaders, team members or individuals), contractors and volunteers must be familiar with and follow the spirit and content of the Code of Conduct.

3.2 When does the Code apply?

The Code is concerned with our conduct as Public Officials and behaviour as individuals at work and outside the workplace where particular behaviour may be directly related to our employment and Council activities and in other circumstances where our actions may impact upon the reputation and activities of Council.

4. ETHICAL PRINCIPLES, VALUES AND CONDUCT

4.1 The First Principle – Integrity and impartiality

Public Sector Ethics Act 1994 (Qld) section 6 states:

“In recognition that public office involves a public trust, public service agencies, public sector entities and Public Officials seek to promote public confidence in the integrity of the public sector and—

- (a) are committed to the highest ethical standards; and
- (b) accept and value their duty to provide advice which is objective, independent, apolitical and impartial; and
- (c) show respect towards all persons, including employees clients and the general public; and
- (d) acknowledge the primacy of the public interest and undertake that any Conflict of Interest issue will be resolved or appropriately managed in favour of the public interest; and
- (e) are committed to honest, fair and respectful engagement with the community.”

Operationally, for you this requires the following standards of behaviour:

(a) Conflicts of Interest

When making decisions, you must declare any conflicts of interest that could affect your objectivity in carrying out your duties. A Conflict of Interest involves a conflict between your official duties and responsibilities in serving the public interest and your private interests. A Conflict of Interest can arise from avoiding personal losses as well as gaining personal advantage – whether financial or otherwise. This includes advantages to relatives and friends.

If you believe you have a Conflict of Interest, whether real, potential or perceived, you must tell your team leader/supervisor/manager promptly. Your team leader/supervisor/manager will then provide further direction on how to resolve the matter giving rise to the Conflict of Interest.

Until the matter is resolved, you must make sure you are not part of any decision-making processes related to the matter.

If you feel you have a Conflict of Interest between professional and corporate values, discuss it with your team leader/supervisor/manager. You should also refer to Council’s Conflict of Interest Policy on how to report and manage a Conflict of Interest.

Where required by Chapter 8, Part 5 of the Local Government Regulation 2012 (Qld) you may be required to supply details of interests to the CEO or Mayor to be included in a Register of Interests and ensure particulars contained in a Register of Interests remain correct.

(b) Influences on decision-making

You must not influence any person in an improper way with the aim to obtain personal advantage or favours.

All decisions need to be, and be seen to be, fair and transparent. This can be achieved in a number of ways, including clear record-keeping and showing how decisions were made.

You must not in any way misrepresent your qualifications, experience or expertise in any recruitment and selection process.

Appendix B has more information about how to undertake ethical decision making: see 'A guide to ethical decision-making'.

You must ensure that any contact with lobbyists complies with any Policy of Council and the requirements of the Integrity Act 2009 (Qld) (as outlined at Appendix C).

(c) Accepting Gifts and Benefits

Occasionally you may be offered gifts or benefits from people with whom you do business.

Pursuant to the Local Government Act 2009 (Qld) s199, it is an offence for an employee to ask for, or accept, a fee or other benefit for doing something as a local government employee. However, this does not apply to remuneration paid by Council or a benefit that has only a nominal value.

The acceptance of Gifts or Benefits of a nominal value may be permitted in limited circumstances, however as a rule you must not accept any gifts or benefits if there is a possibility that in doing so, you could create a real, potential or perceived Conflict of Interest or be seen to be receiving a bribe.

The test to apply is whether you could be (not whether you are) influenced by your private interests in carrying out your official duties, or whether people are likely to believe that you could be influenced.

For example, ask yourself if accepting the gift or benefit could suggest that the giver may or would receive favourable treatment.

Where required by Chapter 8, Part 5 of the Local Government Regulation 2012 (Qld) senior staff (including the CEO and Councillors) must ensure that gifts are recorded in their Register of Interests.

(d) Employment outside Council

It is not Council's intention to stop people from holding secondary employment over and above your official duties as a Council employee. Approval for secondary employment is automatically granted for you to undertake private employment outside of your normal working hours as long as the following requirements are met:

- That no Conflict of Interest exists or develops, between private employment and your official duties.

- That your private employment has no effect on the performance of your official duties. This includes effects from a safety/fatigue management perspective.
- That your private employment does not involve use of Council resources (physical, technological or intellectual); and
- You must ensure that your work outside Council continues to meet the requirements at (a); (b) and (c); and
- Pursuant to the Local Government Act 2009 (Qld) s198, where you seek to be employed by more than 1 local government at the same time, approval of each of the local governments is required prior to you being appointed to the second position.

Although you do not need written approval, if you undertake voluntary work or a hobby you also need to ensure that these activities meet the above requirements. If you are unsure, you should discuss this with your team leader/supervisor/manager.

(e) Public Comments on Council Business

As a general rule, Councillors comment publicly on Council business. Council business can be topical, sensitive and controversial and there is a process to be followed when making public comments.

If you are asked to comment on any Council matter via the media or other public relations firms, you should first refer to Council's policy and/or talk to your supervisor/manager.

You must also ensure that to the extent you collect, handle or give access to personal information, you comply with the Privacy Principles outlined under the Information Privacy Act 2009 (Qld). A copy of the Privacy Principles as applying to Council is outlined at Appendix D.

(f) Advice given to Elected Officials

Councillors may, from time to time, ask local government employees for advice for the purpose of assisting the Councillor carry out their responsibilities under the Local Government Act 2009 (Qld). Where requests for advice are made, these must be consistent with the 'acceptable requests guidelines' which has been adopted by resolution of Council. Council employees have a responsibility to provide such relevant advice as requested by a Councillor, and in doing so must ensure that such advice is thorough, responsive, objective, independent, apolitical and impartial.

Where an employee believes that a request for advice by a Councillor is not in accordance with Council's adopted 'acceptable requests guidelines', you must discuss this with your team leader/supervisor/manager.

(g) External Activities

Council supports and is committed to ensuring all staff are free to engage in trade union, party-political, professional, interest group or charity activities of their choosing. However, you must make sure that your participation in such activities does not cause either a Conflict of Interest, and/or unduly restricts the performance of your official duties with Council.

You must not allow your involvement in any external organisation to intrude upon your duties as a Council employee, which includes Council's confidence in you to give sound advice to Council that is objective, independent, apolitical and impartial.

You are not to take part in political affairs whilst on duty. Council's IT systems, including internet access and email, Council newsletters and workplaces must not be used for political messages or circulating defamatory or disparaging remarks against individuals, groups or Council itself.

If you comment publicly in connection with external activities, you must make a clear distinction between your opinion as a member of the external organisation, and your opinion as a Council employee.

You must not use your role in Council, Council information, or information gained in the course of your official duties as a Council employee, to advance your position or standing within an external organisation, nor for the benefit or promotion of an external organisation. You must not provide Council information to members of other groups or related persons, except where this information is publicly available.

As a member of an external organisation you need to be aware that participating in activities in the public arena, where you may be identified as a Council employee, can give rise to a perception of Conflict of Interest in some circumstances. Where such a situation arises, you must declare and manage the conflict in accordance with this Code of Conduct and any other relevant policy adopted by Council.

(h) Behaviour Towards Each Other

We must all treat others with trust, respect, honesty, fairness, sensitivity and dignity. Employees who supervise or manage other employees have a special responsibility to model this kind of behaviour, and to ensure that the people they supervise understand the standard of performance and behaviour that is expected of them at work and when dealing with ratepayers and the public generally.

Council values diversity, and expects all its employees, contractors or volunteers to accommodate and respect different opinions and perspectives, and to manage interpersonal disagreements by rational debate. You must not behave towards any other person in a way that could be perceived as intimidating, overbearing or bullying, or that may constitute unwelcome conduct of a sexual nature.

Effective teamwork is an essential part of a productive workplace culture. Each team member needs to work co-operatively with fellow employees and actively and willingly take part in team activities (e.g. meetings).

(i) Non-discriminatory workplace

Council is an equal opportunity employer and as such is proactive in ensuring that its practices do not discriminate based on an attribute, or based on a person's association with another person who maintains an attribute relating to:

- race/ethnicity
- gender
- national origin
- marital status
- sexual preference/lawful sexual activity
- age

- disability/impairment, including infectious disease
- industrial/employment activity
- physical features
- pregnancy
- family responsibilities
- religious beliefs
- political conviction
- breast feeding
- gender identity

As an employee of Council you have a shared responsibility to ensure that discrimination is not part of our workplace or our practices in dealing with ratepayers and the public generally. If you witness discriminatory behaviour you have a positive obligation to report such actions to your supervisor or manager, or if such action involves your supervisor or manager, another senior officer. Found cases of unlawful discrimination may lead to disciplinary action taken against offending staff.

(j) Sexual and other forms of Workplace Harassment

Council is also committed to the prevention of any form of sexual harassment, victimisation or other forms of bullying in the workplace, or at any place where work-related activities are performed, including at social functions. This commitment applies to all employees in their relationships with each other, to applicants for employment at Council and to persons who have dealings with Council.

As an employee of Council it is expected that you proactively contribute to building a workplace that is free from sexual harassment; victimisation and bullying. You have a joint responsibility to respect the rights of fellow employees, by not taking part in any action that may constitute harassment of any form, and in doing so supporting and promoting the achievement of equal employment opportunity.

Some examples of behaviour which may constitute either sexual harassment or workplace bullying includes:

- Acting towards, or speaking to a person in a manner which threatens or vilifies that person
- Deliberately excluding a particular individual from relevant work-related activities or functions
- Making jokes, suggestive comments or offensive gestures related to a person's race, appearance, colour, ethnic origin, disability, gender, sexual characteristics, or a personal appearance
- Distribution or display of sexually explicit material (including through email) which may be offensive, including posters, pictures or MPEGs, racist or sexist jokes or cartoons
- Persistent questions about a person's private life
- Personal comments about appearance, size, clothing
- Demands for sexual favours, either directly or by implication
- Unwanted and deliberate physical contact
- Indecent assault, rape and other criminal offences

For further information relating to clauses (h), (i), (j), refer to Council's Anti-Discrimination and Equal Employment Opportunity Policy.

4.2 The Second Principle – Promoting the Public Good

Public Sector Ethics Act 1994 (Qld) section 7 states:

“In recognition that the public sector is the mechanism through which the elected representatives deliver programs and services for the benefit of the people of Queensland, public service agencies, public sector entities and Public officials –

- (a) accept and value their duty to be responsive to both the requirements of government and to the public interest; and
- (b) accept and value their duty to engage the community in developing and effecting official public sector priorities, policies and decisions; and
- (c) accept and value their duty to manage public resources effectively, efficiently and economically; and
- (d) value and seek to achieve excellence in service delivery; and
- (e) value and seek to achieve enhanced integration of services to better serve clients.”

Operationally, for you this requires the following standards of behaviour:

(a) Customer service

As a Council employee it is expected that you will strive to provide excellent customer service. You must treat members of the public equitably and with honesty, fairness, sensitivity and dignity.

All Council employees serve ratepayers directly or indirectly. If your role in Council involves regular contact with the public, it is important to know how to deal comfortably and calmly with difficult situations and difficult people.

You are expected to treat complaints from customers, ratepayers, and the community or fellow employees seriously and respond to constructive feedback as an opportunity for improvement.

Customers have a right to complain or criticise Council. Council expects its employees to show respect towards complainants. While you must make all reasonable efforts to help customers lodge complaints, if you think a situation is threatening or intimidating, you are entitled to withdraw. If in doubt, ask for help from a more experienced colleague, or a team leader/supervisor/manager. Council will support any employee who believes they are under threat from a member of the public.

Council’s image can be impacted by the presentation of staff. Council requires its office-based employees to appear neat and tidy and maintain a professional business standard of dress. If you are unsure about what constitutes appropriate dress please discuss this with your manager or [Refer to Council’s Dress Policy].

Where you have been provided with Council uniforms, you are required to wear all components of the uniform without alteration (other than alterations designed to ensure a proper fit) and ensure that uniforms are clean and tidy. If you are a manager you are expected to ensure that staff are appropriately presented at all times.

(b) Fairness to suppliers

Council’s contracting activities are regulated pursuant to the Local Government Act 2009 (Qld) s104. Further, Council has established procedures and delegations of authority for various stages of procurement of goods and services which reflect sound contracting principles as defined pursuant to the Act.

You must ensure you comply with the sound contracting principles and follow all Council procedures when seeking suppliers for goods or services.

If you have been approved to be involved in offering contracts or buying goods and services from outside Council, you must be sure you have taken reasonable, fair and consistent steps to allow all potential suppliers to bid for work.

You also need to ensure that you do not incur any liability or enter into any contract on behalf of Council, or alter the terms or conditions of any contract which Council has already entered, unless you are authorised to do so.

(c) Public money

You must maintain high standards of accountability if you collect and use public money.

You are not to borrow or use Council money for private purposes. This also applies to items such as taxi vouchers or other vouchers.

Officers using Council monies for the purpose of entertainment and/or hospitality expenditure on Council's behalf must do so strictly in accordance with Council's Entertainment and Hospitality Policy.

(d) Intellectual property

Council expects its employees to ensure that their actions do not breach or infringe the Copyright Act 1968 (Cth), by unlawfully using the intellectual property of any individual or organisation.

You must respect the copyrights, trademarks and patents of suppliers and other organisations outside Council and which includes that you do not reproduce or quote suppliers' material unless your license specifically allows it. Similarly, you must not store or copy audio, video or image files, printed media and software on Council assets without an appropriate license or approval.

Where this is unclear you must seek written approval before arranging to publish, disclose or reproduce any articles or materials as part of your official duties.

Any original work, invention or product you have contributed to in association with your official duties as a Council employee remains the property of Council.

Similarly, you must not publish or disclose any matters relating to Council's intellectual property without appropriate authority. This does not stop you from sharing with other organisations information relating to your official duties. However, if you do, and if you are unaware of whether such action may breach this Code, you must first seek clarification from your supervisor/manager.

(e) Concern for the environment

We all share the responsibility to protect our natural environment, creating healthy surroundings for our community, and for managing the impacts of air, water, land and noise pollution. This includes individual responsibility for our own actions (e.g. taking care in disposing of waste and using and storing chemicals, reducing energy consumption and waste in our work spaces where we can and applying high standards of environmental protection across the region).

In performing your duties at Council, you must ensure that you comply with your general environmental duty and where applicable, your duty to notify of environmental harm: Refer to Chapter 7, Part 1 of the Environmental Protection Act 1994 (Qld).

4.3 The Third Principle – Commitment to the system of government

Public Sector Ethics Act 1994 (Qld) section 8 states:

- (1) In recognition that the public sector has a duty to uphold the system of government and the laws of the State, Commonwealth and local government, public service agencies, public sector entities and Public officials –
 - (i) accept and value their duty to uphold the system of government and the laws of the state, the Commonwealth and local government; and
 - (ii) are committed to effecting official public sector priorities, policies and decisions professionally and impartially; and
 - (iii) accept and value their duty to operate within the framework of Ministerial responsibility to government, the Parliament and the community.
- (2) Subsection (1) does not limit the responsibility of a public service agency, public sector entity or Public official to act independently of government if the independence of the agency, entity or official is required by legislation or government policy, or is a customary feature of the work of the agency, entity or official.

Operationally, for you this requires the following standards of behaviour:

(a) Acting within the law

As an employee of Council, you are expected to comply with applicable legislation, awards, certified agreements, Council policies and local laws.

You have the right and responsibility to respectfully question how you do your work, particularly if you think there is an imminent risk to the safety of yourself or others, or there is a better way of doing something, or if you think that a direction may be in breach of the law. When you have recorded your suggestion or concern you are required to work as directed by your team leader/supervisor/manager, except where there is an imminent risk to safety. If the matter cannot be resolved within the workgroup, it should be immediately referred to your manager.

If you are charged with having committed any indictable offence, are subject to an indictable offence conviction, or are subject to a summary conviction, you should immediately report the circumstances to your divisional manager. Such disclosure shall be treated as confidential.

(b) Acting in accordance with delegations and signing documents on behalf of Council

If you are requested to undertake an action on behalf of the CEO or Council, prior to exercising any power on behalf of the Chief Executive Officer you must ensure there exists an appropriate delegation pursuant to State or Federal legislation that allows you to exercise the power. Refer to Council's Delegations Register.

The following persons are the only persons who may sign a document on behalf of Council:

- (i) the Mayor;

- (ii) a delegate of Council; or
- (iii) a Councillor or Council employee who is authorised, in writing, by the Mayor to sign documents (for example the CEO, or CEO delegate)

(c) Raising concerns

You have the right to comment on or raise concerns with your team leader/supervisor/manager about Council policies, practices or priorities where they impact on your employment. However, you must do this in a reasonable and constructive way and take responsibility for your comments and views. Further, you must accept that Council has the right to determine its policy, practices and priorities and that you must comply with all reasonable and lawful instructions, whether or not you personally agree with a given policy direction.

When raising complaints or grievances, employees are expected to act with honesty and in good faith. Complaints that are considered vexatious or frivolous will not be progressed, and such complaints may be managed as acts of misconduct in accordance with the Council's Performance and Misconduct and/or Disciplinary Policy.

(d) Privacy

Council maintains information about individuals, businesses and commercial issues which is private and sensitive and which could be harmful to a person's interest if released. Employees should only access personal information and records they require to perform their official Council duties.

Employees must ensure that the collection, storage and use of personal information is done so in accordance with the Privacy Principles outlined pursuant to the Information Privacy Act 2009 (Qld). A copy of the Privacy Principles is outlined at Appendix D.

As a general rule you can maintain privacy by:

- not discussing work matters with persons not entitled to know such information; and
- taking responsibility to safeguard confidential files and information; and
- ensuring collected information is only used in a manner consistent with the purpose for which it was originally collected; and
- ensuring that you are complying with Council policy in relation to maintaining privacy of personal information.

It may be appropriate to share information based on your personal and professional experience (e.g. in seminars or training programs). However in sharing your experiences, you must ensure that where personal information is involved, you don't breach Council's privacy obligations. You may breach this obligation even if comments are made or personal information other than your own is shared in your personal life, including via social media outlets.

In addition to the Information Privacy Act 2009 (Qld), the Local Government Act 2009 (Qld) s200 (5) makes it an offence for a person who is, or has been, a Council employee to release information that the person knows, or should reasonably know, is information that:

- is confidential to Council; and
- Council wishes to keep confidential.

Personal and other information may on occasion be sought from Council by an employee or other members of the public pursuant to the Right to Information Act 2009 (Qld). If such a request is made of you, you must ensure that you refer such requests to your manager/supervisor or relevant nominated right to information officer to be properly considered.

4.4 The Fourth Principle – Accountability and transparency.

Public Sector Ethics Act 1994 (Qld) section 9 states:

In recognition that public trust in public office requires high standards of public administration, public service agencies, public sector entities and public officials –

- (a) are committed to exercising proper diligence, care and attention; and
- (b) are committed to using public resources in an effective and accountable way; and
- (c) are committed to managing information as openly as practicable within the legal framework; and
- (d) value and seek to achieve high standards of public administration; and
- (e) value and seek to innovate and continuously improve performance; and
- (f) value and seek to operate within a framework of mutual obligation and shared responsibility between public services agencies, public sector entities and Public Officials.

Operationally, for you this requires the following standards of behaviour:

(a) Using Council assets

Council's assets include property, plant, equipment, information systems, computing resources, goods, products and/or valuables (this includes surplus material, waste material and off-cuts). All employees share the responsibility for looking after them.

If you are in charge of assets you must take good care of them while they are in your possession or use, and ensure they are used economically and efficiently. It is an offence to misuse or allow anyone else to misuse Council assets. You must make sure assets are secured against theft and properly stored, maintained and repaired.

You must ensure that you use Council assets only for official Council business, unless written approval has been granted by your manager.

You must not store personal files on Council's IT assets. Any files stored on, or information accessed using Council assets, are discoverable by Council.

You can use telephones on a limited basis for local calls that you cannot make conveniently outside working hours.

If you use Council vehicles or a Council-issued mobile telephone for non-official purposes, you must ensure that your use is in accordance with Council policy.

Council allows limited personal use of electronic mail and Internet browsing, subject to and in accordance with Council Policy. Limited personal use means use that is infrequent and brief, and is performed during your non-paid time, that is, before and after work or during meal breaks. Please refer

to the definition of Limited Personal Use (Electronic Mail and Internet) for more information on what is allowed.

Upon your employment terminating with Council, you must return all Council property and work related documents immediately.

(b) Diligence, care and attention

Council aims to conduct its business with integrity, honesty and fairness and to achieve the highest standards in service delivery. You contribute to this aim by carrying out your duties honestly, responsibly, in a conscientious manner and to the best of your ability. This includes:

- maintaining punctuality and not being absent from your workstation/location during work time without reason;
- giving priority to official duties over personal activities during work time;
- ensuring you do not undertake personal work during work time;
- not wasting time chatting about personal matters and interrupting other staff;
- helping Council achieve its mission and goals by acting to improve systems and practices;
- conducting yourself in a way so others gain confidence and trust in the way Council does business;
- not allowing your conduct to distract or prevent others from working;
- not exposing Council to a judgment for damages against it, as a result of your negligence or breach of any law or policy.
- If you are responsible for managing or supervising others, you must also ensure that:
- you model the values and principles outlined in this Code and ensure that employees within your area of responsibility understand and comply with the Code;
- you do not come under a financial obligation to any employee you supervise or manage;
- your work and the work of those you supervise contribute to the achievement of Council's goals;
- employee performance is monitored and individuals are given constructive and regular feedback on their performance in line with procedures;
- where practicable, employees are given training opportunities to assist them in developing their careers;
- employees are provided with information that is vital for effective work performance;
- the opinions of employees are respected and considered;
- workloads are fairly distributed;
- resourcing for a work team is neither excessive nor inadequate for the job;
- employees who collect, handle or disburse public money are properly supervised;
- employee work times, overtime, allowances and absences are correctly recorded on time/flex sheets and pay summary reports;
- appropriate action is taken if breaches of this Code occur.

(c) Attendance at and absence from duty

You are expected to follow Council employment and working arrangements, agreements and rulings on attendance at work and leave. This includes not being absent without approval and accurately and truthfully recording work and leave periods.

Council's operational efficiency depends on your punctuality and attendance at your work station/location. If you are unavoidably detained you are required to advise your team

leader/supervisor/manager as soon as reasonably possible before your expected start time.

Absence without approval and without reasonable excuse can create concerns for your safety and lead to unproductive time for others. All employees have an obligation to ensure that they promptly notify Council as soon as practicable upon becoming aware that they are going to be absent from work. Failure to promptly notify Council may result in the non-payment of salary/wages for the period of absence and/or may result in Council taking disciplinary action.

(d) Self-development

All Local Government employees have an obligation to be proactive in the continual improvement of all aspects of their work performance: refer to Local Government Act 2009 (Qld) s13. You should aim to maintain and improve your work performance and that of your work unit in the delivery of customer service. You have a continuing responsibility to maintain and enhance your skills and expertise and keep up to date the knowledge associated with your area of work.

Council will assist you by providing equitable access to training and development opportunities. This may include accessing the study assistance program, learning new work duties, participating in project work or undertaking internal or external training.

(e) Workplace health and safety

As Council employees we are all committed to zero harm in the way we conduct our business and Council activities.

Council will endeavour to ensure that persons are free from:

- death, injury or illness caused by the workplace, relevant workplace area, work activities, or plant or substances for use at work; and
- the risk of death, injury or illness caused by the workplace, relevant workplace area, work activities, or plant or substances for use at work.

You must take reasonable steps to ensure your own safety, health and welfare in the workplace. You also have a duty of care to both fellow employees and members of the public. As a worker you have the following obligations at the workplace:

- to comply with the instructions given for workplace health and safety at the workplace by Council;
- to use personal protective equipment provided by Council for your use if you have been properly instructed in its use;
- not to wilfully or recklessly interfere with or misuse anything provided for workplace health and safety at the workplace;
- not to wilfully place at risk the workplace health and safety of any person at the workplace;
- not to wilfully injure yourself.

You also have a duty to:

- identify hazards and manage risks to health and safety;
- perform all work safely and follow safe work practices;
- report any incidents or hazards immediately and support investigations;
- take corrective action to 'make safe' the workplace, relevant workplace area or work activities and implement improvements;

- participate in rehabilitation and return to work programs if required.

We must keep our workplace drug and alcohol free if we are to maintain the trust and confidence of the broader public, and ensure the health and safety of all employees. The use of drugs or alcohol can adversely affect productivity, attendance and on-the-job safety.

As such you must not:

- use, possess or be impaired by the effects of illegal drugs whilst on duty;
- come to work impaired by the effects of alcohol or drugs;
- consume alcohol while on duty or in the workplace other than strictly in accordance with Council Policy;
- gamble or bet on Council premises (except for authorised sweeps and tipping competitions);
- undermine Council's service to customers by leaving your work station/location in order to smoke. Smoking is only permissible during meal breaks;
- smoke anywhere within Council's buildings, in Council vehicles, in any enclosed spaces whilst on site or within 4m of any part of an entrance to an enclosed place.

For more information refer to Council's Drug and Alcohol Policy.

5. BREACHES OF THE CODE

Council expects all employees whilst engaged in official duties, to ensure they demonstrate the basic standards of acceptable conduct as enshrined in this Code. All employees have the responsibility to comply with this Code of Conduct and all other policies which Council implements and/or varies from time to time.

A breach of the Code of Conduct damages business effectiveness, public perception of Council and interpersonal work relationships. Any act or lack of action by an employee of Council that contravenes this Code may result in Council taking disciplinary action against that employee, and which may include dismissal. All suspected breaches will be dealt with on a case-by-case basis.

Suspected Official Misconduct must be referred to Council's Chief Executive Officer, and the Chief Executive Officer has a duty to notify the Crime and Misconduct Commission of the suspected Official Misconduct.

In cases where a suspected breach of this Code is under investigation, and if the Chief Executive Officer deems it appropriate and believes disciplinary action in some form will occur, any employee suspected of a breach of this Code may be suspended from duty on full pay until such time as the investigation has been completed.

All disciplinary action taken by Council against an employee for suspected breaches of this Code will be in accordance with Council's Performance and Misconduct Policy and in compliance with Council's obligations pursuant to Part 3 of Chapter 8 of the *Local Government Regulation 2012 (Qld)*.

6. IF YOU HAVE A CONCERN

The *Public Interest Disclosure Act 2010 (Qld)* and the *Public Sector Ethics Act 1994 (Qld)* aim to create a work environment where public sector and local government employees understand and maintain appropriate standards of conduct.

Where you honestly believe on reasonable grounds that you possess information about another Council Officer's conduct that relates to:

- Official Misconduct; or
- Maladministration that adversely affects a person's interests; or
- A substantial misuse of public resources, other than an alleged misuse based on mere disagreement over policy that may properly be adopted about amounts, purposes or priorities of expenditure; or
- A substantial and specific danger to public health or safety; or
- A substantial and specific danger to the environment

you have the right to make a **Public Interest Disclosure** to a proper authority subject to, and in accordance with, the *Public Interest Disclosure Act 2010 (Qld)*.

Should you wish to make such a disclosure, please contact:

- internal channels: Governance Manager; or
- other external channels: e.g. Crime and Misconduct Commission, Anti-Discrimination Commission etc.

7. REVIEW

This Code will be reviewed annually.

8. PUBLICATION

In accordance with the requirements of section 20 of the *Public Sector Ethics Act 1994*, the Chief Executive Officer will keep a printed copy of the Code available for inspection in the Executive Office, and Council will publish the Code on its Intranet site for all employees to access.

9. TRAINING

Education and training about public sector ethics will be offered at induction and as frequently as the Chief Executive Officer determines.^{109.} **AUTHORITY**

In accordance with Section 16 of the *Public Sector Ethics Act 1994*, the following consultation process was followed in development of this Code:

- This Code was approved by the Chief Executive Officer in accordance with Section 17 of the Act.

10. FURTHER ASSISTANCE

If you read the Code and are still unsure of how it applies to you, it is important that you discuss this with your manager, team leader or divisional manager. In most cases, they will be able to answer your enquiries.

If you have concerns about approaching any of these people, contact the next most senior person in your area.

APPENDIX A – Definitions

Benefit – something that is similar to a Gift in that it is of value to the recipient, but it is less tangible in nature (e.g. a new job or promotion, preferential treatment, or access to confidential information).

Conflict of Interest – a conflict between a Council employee’s work responsibilities and their personal or private interests. A Conflict of Interest can arise from either gaining a personal advantage or avoiding a personal loss. Conflicts of interest can be real (actual) or perceived (apparent).

- *Real Conflict of Interest:* A conflict between the employee’s duties and their private interests.
Example: Ron is on a recruitment and selection panel and his sister is applying for a position to be decided by that panel.
- *Perceived Conflict of Interest:* Arises where a person is likely to believe an employee’s private interests could improperly influence them at work.
- *Example:* Frida works for Council as a community grants funding program manager. On the weekend she plays tennis with the director of a community organisation applying for funding through the program. A reasonable person is likely to believe that Frida could be improperly influenced by the relationship.

Types of interests – can be financial, non-financial, personal, private, family or business.

- *Financial interest:* e.g. having shares, receiving gifts or bribes, or your partner owns a tendering business.
- *Non-financial interests:* e.g. social relationships, leadership roles in community groups, affiliations.

Gift – money, vouchers, hospitality, property or anything else of value given without obligation to repay – could be a thank-you or could be intended to create a sense of obligation.

Impaired by alcohol or drugs – defined by blood alcohol limits or positive drug tests as per Queensland Transport Regs and Australian Standards. Also includes mental/physical states that limit ability to safely perform duties.

Indictable offence – a crime requiring formal prosecution or indictment (i.e. serious criminal offences).

Limited Personal Use (IT) – infrequent, brief use of Council email/web during unpaid time (before/after work, lunch).

Acceptable examples include online banking, approved online training, and infrequent personal email.

Unacceptable use includes:

- Gambling or betting
- Online auctions or dating sites
- Streaming or downloading music/videos
- Accessing social media not related to work
- Sending offensive, sexist, racist or defamatory messages

Official Misconduct – wrongdoing by a public sector official that involves:

- (a) dishonesty or lack of impartiality
- (b) breach of public trust
- (c) misuse of officially obtained information

Must also be either a criminal offence or serious enough to warrant dismissal.

Public Official – any Council employee.

Summary conviction – when a Magistrates Court finds someone guilty of an indictable offence without needing a full jury trial.

APPENDIX B – A Guide to Ethical Decision-Making

This guide is designed to help you reach an ethical decision based on the relevant facts and circumstances of a situation. It's here to help when the Code doesn't specifically spell something out, or when you're navigating murky territory.

Step 1: Assess the situation

- What is your aim?
- What are the facts and circumstances?
- Does it break the law or go against Council policy?
- Is it in line with the Code's principles?
- What principles does it relate to? Why?
- Who is affected? What rights do they have?
- What are your obligations or responsibilities?

Step 2: Look at the situation from Council's viewpoint

- As a Public Official, what should you do?
- What are the relevant laws, rules and guidelines?
- Who else should you consult?

Step 3: How would others see your actions?

- Would a reasonable person think you used your powers or position improperly?
- Would the public see your action or decision as honest and impartial?
- Do you face a Conflict of Interest?
- Will your decision or action stand up to public scrutiny?

Step 4: Consider the options

- Ask your team leader/supervisor/manager, or any person who is able to give sound, relevant advice.
- What options and consequences are consistent with Council's values, the five local government principles, the four ethics principles fundamental to good public administration and your obligations?
- What are the costs and long-term consequences of each option?
- How would the public view each option?
- What will be the outcome for Council, your colleagues, others — and you?

Step 5: Choose your course of action

Make sure your actions are:

- within your power to take, legal and in line with policy and this Code
- fair and able to be justified to your manager and the public

- documented so a statement of reasons can be supplied
- consistent with Council's mission, goals and values
- backed by advice from Council specialists, if this is appropriate

This guide outlines how to appropriately deal with lobbyists in line with the *Integrity Act 2009 (Qld)*.

1. Contact by Registered Lobbyists

Councillors and Council employees who receive contact from a lobbyist **must establish** whether the lobbyist is registered.

You can check the Lobbyist Register at:

 <http://lobbyists.integrity.qld.gov.au/who-is-on-the-register.aspx>

If the lobbyist is registered, you must:

1. **Create a record** of the contact.
2. **Forward the following core information to the CEO:**
 - Date of contact
 - Name and title of Councillors and Council employees present
 - Name and title of Lobbyist/s present
 - Name and title of Lobbyist's client/s present
 - Method of contact (e.g. telephone call)
 - Purpose of contact (e.g. follow-up of application)
 - Brief description of issue
 - Outcome of contact

2. Contact by Unregistered Lobbyists

Council staff and Councillors **must not** engage in lobbying activity with unregistered lobbyists.

If you reasonably believe someone is an unregistered lobbyist engaging in lobbying, follow these steps:

Politely advise the person:

- “This contact may be a lobbying activity under the *Integrity Act 2009*.”
- “You are required under the Act to clarify your standing as a registered lobbyist.”
- “You can’t continue this discussion until that is clarified — happy to assist with anything else not related to lobbying.”

Then:

- Make a written note of:
 - The person's name
 - The time, date and place
 - Who was involved
 - What was said and how it may be considered lobbying activity
- **Report it to the Governance Manager**

- **Discontinue any lobbying-related conversation** until resolved
 - *You can still assist with unrelated matters.*

APPENDIX D – Information Privacy Principles (IPPs)

These principles come from the *Information Privacy Act 2009 (Qld)* and outline how Council must collect, manage, store and use personal information.

IPP 1 – Collection of Personal Information (lawful and fair)

- Council must only collect personal information **for a lawful purpose**, directly related to its functions.
- The collection must be **necessary** to fulfil that purpose.
- The collection must not be done in a way that is **unfair or unlawful**.

IPP 2 – Collection (requested from the individual)

When asking an individual for personal info, Council must inform them:

- Why it's being collected
- Whether it's authorised or required under a law
- If it's usually disclosed to any other entity
- Who those entities are (if known)

This must happen **before or as soon as practicable** after collection — unless it's an emergency, of little practical benefit to the individual, or would be unexpected.

IPP 3 – Collection (relevance and non-intrusiveness)

- Information must be **relevant, complete and up to date**
- It must be collected in a way that is **not an unreasonable intrusion** into someone's personal affairs

IPP 4 – Storage and Security

Council must:

- Protect documents from **loss, unauthorised access, misuse or modification**
- Ensure any service providers also protect the info
- Use safeguards that are **reasonable and proportionate** to the risk

IPP 5 – Transparency

Council must make it possible for people to find out:

- If Council holds personal info about them
- What kind of info is held and why
- How they can request access to it

Council doesn't have to provide this info if another law requires or allows it to be withheld.

IPP 6 – Access

Council must give individuals access to their own personal info upon request — unless a law (like RTI) says otherwise.

IPP 7 – Amendment

If a person requests a correction to their info and it's wrong, misleading or out of date, Council must amend it — or attach the person's statement if it chooses not to change the record.

IPP 8 – Accuracy Before Use

Before using personal info, Council must ensure it is:

- **Accurate, complete, and up to date**, in light of the purpose for which it will be used

IPP 9 – Use Only for Relevant Purposes

Only the **relevant parts** of personal info can be used to fulfil a **specific, identified purpose**.

IPP 10 – Limits on Use

Council **must not** use info for a different purpose **unless**:

- The person consents
- It's to prevent a serious threat to health, safety or welfare
- It's required or authorised by law
- It's needed for a law enforcement purpose
- It's for directly related purposes
- It's used for research/public interest with no identifying details and consent is impracticable

If used for law enforcement reasons, a note must be added to the document.

IPP 11 – Limits on Disclosure

Council **must not** disclose personal info unless:

- The person is aware it's standard practice
- They've consented
- It's to prevent serious harm
- It's required or authorised by law
- It's for law enforcement purposes
- It's for research/public interest without identification, and consent is impractical

Disclosure for marketing? Only if:

- Consent is impractical
- Opt-out is clearly provided
- The agency won't charge for that opt-out
- Contact details are included on the marketing material.

END