

- refrain from any form of conduct, in the performance of your public or professional duties, which may cause any reasonable person unwarranted offence or embarrassment or give rise to the reasonable suspicion or appearance of improper conduct or partial performance of your public or professional duties.

## **OUTSIDE EMPLOYMENT OR BUSINESS BY STAFF**

You may engage in other employment or business outside the Council if you meet certain conditions and prior written approval has been given by the General Manager.

Your application will generally be approved when the work:

- does not arise from, or interfere with, your work at the Council;
- will not cause a conflict of interest with your official duties;
- will be done outside working hours;
- will not involve information that is obtained through your work with the Council; and
- will not discredit the Council.

## **DISCRIMINATION**

You must not discriminate against anyone in connection with your Council duties on the grounds of sex, religious conviction, marital status, pregnancy, physical or intellectual impairment, sexual preference or political conviction. Such discrimination may constitute an offence under the *Anti-Discrimination Act 1977*.

## **SEXUAL HARASSMENT**

Holroyd City Council is committed to the right of all employees to work in an environment free from harassment. Sexual harassment is unlawful under the *Commonwealth Sex Discrimination Act 1984* and it constitutes misconduct. Should a member of staff or a Councillor be accused of sexual harassment in the workplace, Council will investigate the matter and take appropriate action if necessary.

## **CORRUPTION, MALADMINISTRATION, SERIOUS & SUBSTANTIAL WASTE**

Our Council is committed to high ethical standards and it is everybody's responsibility to not only act honestly but also report any instances of possible corruption, maladministration or serious and substantial wastage.

Any person who reports corruption, maladministration or serious wastage, in accordance with Council policy will not be disadvantaged because of such reporting. Protection is provided under *Public Interest Disclosures*. Staff and Councillors should refer to the Council's policy for *Reporting Corruption, Maladministration & Serious & Substantial Wastage* that provides advice on reporting requirements and the protection provided.

Vexatious and malicious allegations or complaints may be considered as wilful misconduct.

## **BREACHES OF CODE**

It is everybody's responsibility to not only act in accordance with the Code of Conduct but for staff to also report any breaches of the Code immediately to the General Manager. Breaches of the Code by the General Manager or Councillors are to be reported to Council's Conduct Committee.

## **FOR MORE INFORMATION**

Please read the complete Code of Conduct on the Intranet. Any questions should be directed to your supervisor or the Executive Support Officer on 9840 9763

**Note that it is compulsory for all Council staff to attend a Code of Conduct training session. Please advise your Supervisor or Manager if you have not received such training.**



# **An Introduction to Council's**

## **CODE**

## **OF**

## **CONDUCT**

# **A Guide for all Councillors and Staff**

**November 2011**

The Local Government Act, 1993 requires every council to adopt a Code of Conduct that incorporates the provisions of the Model Code of Conduct for Councils in NSW. Councillors, staff and delegates must comply with the applicable provisions of council's Code of Conduct. It is the personal responsibility of council officials to comply with the standards in the Code and regularly review their personal circumstances with this in mind.

You should read this summary brochure and, in addition, take the time to read and become familiar with the complete Code of Conduct.

Clr. Yvette Whitfield  
Mayor

Merv Ismay  
General Manager

## **RESPONSIBILITIES OF STAFF**

As a staff member it is important that at all times you act in a manner that enhances community confidence in our Council.

While on duty, as a staff member, you are to give the whole of your time and attention to the business of the Council. You need to carry out your duties conscientiously, honestly and fairly.

## **CONFLICTS OF INTEREST**

We must ensure that our actions and decisions are free of any conflicts of interest if we are to keep the trust and confidence of people dealing with our Council.

Thus, Councillors and staff must ensure that opportunities do not exist for their interest, or those of people close to them, to conflict with the impartial performance of their public or professional duties.

A conflict of interest can be of two types:

**Pecuniary-** An interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

**Non pecuniary-** A private or personal interest the council official has that does not amount to a pecuniary interest as

defined in the Act ( eg a friendship, membership of an association, society, trade union or involvement or interest in an activity and may include an interest of a financial nature )

The onus is on each staff member or Councillor to identify and declare possible Conflicts of Interests. The generally accepted rule is that where conflict of interest exists, matters must be resolved in the public interest.

## **BRIBES, GIFTS, BENEFITS, TRAVEL & HOSPITALITY**

Councillors and staff must never demand or request any gift, benefit, travel or hospitality for yourself, or anyone else in connection with your Council work or public duties.

Never accept any gift, benefit, travel or hospitality if you think that the person offering the gift, or a fair observer, might think you would be influenced in the way you do your job as a result of the gift.

The offer of cash (any amount) is never considered acceptable.

As a general rule you should decline offers of gifts, benefits, travel and hospitality from an individual or organisations which you know to have any matter before Council, or against whom Council taking or proposing to take action. (If you have any doubts the matter should be raised with your Director or the General Manager, as appropriate).

Token gifts may only be accepted in exceptional circumstances. If staff are in any doubt about whether a gift is token they should discuss it with their Supervisor or General Manager.

If a gift or benefit is offered to you in order to influence the way you do your work, or you believe that you, or a colleague, have been offered a bribe, you are required to report this immediately to your Director or the General Manager (or General Manager for Councillors).

Bribes, or the offer of a bribe must be reported immediately.

## **USE OF INFORMATION**

It is important that the community has confidence that

information acquired by our Council is only used for Council purposes.

To maintain this level of confidence Councillors and members of staff must:

- protect confidential information;
- only access it when you need it for your usual work;
- not use confidential information for any unofficial purpose outside the Council; and
- only release confidential information if you have authority to do so.

You are only allowed to release information in accordance with established Council Policies & Procedures.

## **USE OF COUNCIL RESOURCES & EQUIPMENT**

Councillors and staff must use Council property, facilities and equipment efficiently, economically and carefully and not allow others to abuse these resources.

Council resources may only be used for private purposes if official permission has been obtained.

Minimal use of telephone or faxes for private purposes may be permitted. Occasional use of photocopiers may be permitted with the consent of your Supervisor.

Council resources and equipment must not be used, in any circumstances, in relation to a second job.

## **EQUITABLE TREATMENT**

Councillors and staff members must:

- act reasonably, justly, in accordance with the law and in a non-discriminatory manner;
- deal with all situations consistently, but treating each matter on its merits;
- take all reasonable steps to ensure that the information upon which decisions or actions are based is factually correct and that all relevant information has been obtained;
- treat all staff members, Councillors and members of the public fairly and equitably and with respect, courtesy, compassion and sensitivity; and