

Employee Code of Conduct

Document No: POL202566009

File No: 40.4.3.1

Version No: 1.0

Adaptability

Collaboration

Communication

Enjoyment

Respect

Safety

1. Purpose

The Employee Code of Conduct Policy clarifies the standards of behaviour required of Council employees in the performance of their duties and in carrying out their functions as public officers. The purpose of this Policy is to ensure a high level of integrity in the conduct of Council business and to contribute to positive organisational culture.

2. Scope

All employees who are engaged by Town of Walkerville (TOW) must comply with the provisions of this Policy in carrying out their functions as public officers and employees of TOW.

This Policy will be enforced in conjunction with any other relevant Council policies concerning bullying and harassment, discipline and/or performance management.

3. Policy

3.1 Organisational values

Our organisational values—**Adaptability, Collaboration, Communication, Enjoyment, Respect, and Safety**—shape our approach to work and serve as the foundation for building a constructive organisational culture.

While this Policy cannot address every possible scenario, the values, ethics, standards, and behaviours it outlines provide a guiding framework for decision-making in circumstances not explicitly covered. It establishes the minimum behavioural expectations for Council employees and others within the scope of this Policy as they perform their duties.

3.2 Policy principles

Council employees in South Australia are committed to serving the best interests of the community their Council represents, performing their duties as public officers diligently and to the best of their ability.

Employees will act with honesty in all aspects of their work, maintaining openness and transparency when making decisions or providing advice to their Council.

They will carry out their official duties in a manner that fosters public confidence and trust in the integrity and impartiality of their Council.

Council employees will uphold the law and adhere to resolutions passed by the Elected Members of the Council.

The Council's Chief Executive Officer (CEO) will take reasonable steps to ensure employees are informed of statutory requirements and best practices relevant to their roles. Likewise, Council employees will make reasonable efforts to stay informed about statutory requirements and best practices as communicated to them by Council.

3.5 General behaviour

All Council employees are **required to**:

- act honestly in the performance of official duties at all times, as required by section 109(1) of the *Local Government Act 1999*;
- act with reasonable care and diligence in the performance of official duties, as required by section 109(2) of the *Local Government Act 1999*;
- discharge duties in a professional manner;
- act in a way that generates community trust and confidence in the Council;
- ensure that personal interests, including financial interests, do not influence or interfere with the performance of their role and that conflicts of interest are declared and managed appropriately;
- act in a reasonable, just, respectful and non-discriminatory way when dealing with all people. Ensure behaviour is not intimidating, harassing, derogatory or threatening;
- follow any lawful directions given by a person authorised to do so. Seek clarification when in doubt, and particularly in circumstances where you believe that a direction given to you may be unlawful or unethical;
- all employees will not at any time act in a manner that a reasonable person would view as bringing them or the Council into disrepute; or that is otherwise improper or disgraceful;
- comply with TOW's policies, procedures, directions, codes and resolutions; and
- maintain a work environment free of discrimination, harassment and bullying.

3.6 Responsibilities as an employee of Council

All Council employees **will**:

- deal with information received in their capacity as a Council employee in a responsible manner;
- endeavour to provide accurate information to the Council and to the public at all times;
- take all reasonable steps to ensure that the information upon which employees make decisions or actions are based is factually correct, and that all relevant information has been obtained and considered;
- not release or divulge information that the Council or CEO of the Council has ordered be kept confidential, or that the Council employee should reasonably know is information that is confidential, including information that is considered by the Council or the CEO in confidence, subject to the *Ombudsman Act 1972* and the *Independent Commissioner Against Corruption Act 2012*;
- not make improper use of information, including confidential information, acquired by benefit of their position;
- ensure that relationships with external parties do not amount to interference by improper influence, affecting judgement, decisions and/or actions;
- not make public comment, including through social media, in relation to their duties or other Council business, except where specifically authorised to do so in accordance with the Social Media Policy, and restrict such comment to factual information and professional advice in accordance with their duties; and
- all employees have a shared responsibility to ensure that discrimination, bullying and harassment are not part of the workplace or work practices in dealing with each other or members of the public.

3.7 Council representation

Not make any defamatory, inflammatory, misleading or negative comments regarding other TOW employees or Elected Members via social media or any other means.

Take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons, as required by the *Work Health and Safety Act 2012*.

Direct any allegations of breaches of this employee Policy or Council Members Behavioural Standards to the CEO or nominated delegate/s.

3.8 Use of Council resources

Employees using Council resources must:

- use them effectively, prudently, and in accordance with any applicable Council policy when undertaking Council work;
- not use Council premises or services for private purposes or remove any assets, including non-monetary assets, unless properly authorised. TOW retains ownership of all Council resources and assets;
- recognise that, for the purposes of this Policy, Council resources include the time and effort of employees (including the employees themselves); and
- ensure that their own time and that of others is used responsibly and always in TOW's best interest.

3.9 Register of interests

An employee of the Council must adhere to the statutory requirements to lodge a primary return and submit an ordinary return in accordance with sections 112, 113, 114 and 115 of the *Local Government Act 1999*, if they have been declared by the Council to be subject to these provisions.

Employees that are declared by Council to be subject to the Register of Interest provisions may be nominated, at the Council's discretion, using the following criteria:

- the level of authority the position has to make and/or influence decisions across Council;
- the position's influence to approve and/or amend Development applications;
- the level of authority the position has to purchase or influence the procurement/purchase of goods and services; and
- the level of authority the position has to make and/or influence decisions in relation to external contracts.

3.10 Conflicts of interest

Employees will avoid general or material conflicts of interest and ensure their personal or financial interests do not influence or interfere with the performance of their role. They will also ensure the interests of family members, friends or associates do not influence the performance by them of their duties. An employee who has an interest in a matter in relation to which they are required or authorised to act in the course of official duties:

- must disclose the interest to the CEO;
- must not act in relation to the matter unless the CEO otherwise determines; and
- refer to Subdivision 3 Conflict of Interest, clause 120 in the *Local Government Act 1999*.

3.11 Employment or other remunerated activity outside Council

Employees who wish to undertake other remunerated activities outside of Council, will need to apply for approval via their Manager using the applicable HR Form – Notification of other Employment.

Employees do not require approval to undertake voluntary or unpaid activities or paid recreational activities (e.g. sport coaching) unless there is a real or perceived conflict of interest between such activity and their duties.

Employees are to notify People, Governance & Risk (PGR) as soon as practicable should employment circumstances change, or an actual potential or perceived conflict of interest is determined.

3.12 Customer experience (internal & external)

The community expects Local Government to provide responsive, effective and efficient service whilst receiving a positive and professional customer experience. Our employees will show care in all interactions with our customers, whether they are internal or external and will treat each other with honesty, fairness, sensitivity, and dignity.

Employees who lead and manage other employees have a special responsibility to model this behaviour, and to lead and mentor their teams to ensure they understand the acceptable standard of performance and behaviour.

3.13 Criminal offences

Employees will at the earliest possible opportunity advise PGR if they are convicted of a criminal offence. PGR will determine if there is a connection between the offending conduct and the employee's duties and role or is likely to cause damage to Council's reputation or bring it into disrepute.

Per Section 19 of the *Child Safety (Prohibited Persons) Act 2016*, Council will immediately contact the Department of Human Services (DHS) Screening Unit when it becomes aware of assessable information regarding any person involved with our organisation, including any serious criminal offence, child protection information, or disciplinary or misconduct information – that may influence DHS in their decision to change a prohibition status on a Working with Children Check.

All information regarding an employee's criminal offence will be treated with strict confidentiality. Any information collected will be managed in compliance with privacy laws and Council's Privacy Policy. Unauthorised disclosure of this information may result in disciplinary action.

3.14 Confidentiality

Employees must not:

- release or divulge information that the Council or CEO has ordered to be kept confidential, or that should be reasonably known, is information that is confidential, including information that is considered by the Council or the Chief Executive Officer in confidence, subject to the *Ombudsman Act 1972* and the *Independent Commissioner Against Corruption Act 2012*; and
- make improper use of information, including confidential information, acquired by virtue of their position or role with the Council.

3.15 Gifts and benefits

Council employees must not seek out or receive a gift or benefit that is, or could reasonably be taken to be, intended or likely to create a sense of obligation on the part of the employee to a person or influence the employee in the performance or discharge of the employee's functions or duties.

If a Council employee receives a gift or benefit of any value, whether the gift or benefit was accepted or not, and indifferent of the value of the gift or benefit, the employee must provide details of the gift or benefit to PGR at governance@walkerville.sa.gov.au and include:

- a description of the gift or benefit;
- the estimated value;

- who the gift or benefit was offered or given by; and
- whether the gift or benefit was accepted or declined.

A gift or benefit received by a person related to a Council employee will be treated as a gift or benefit received by the employee.

4. Complaints/Breach of the Policy

Any person may make a complaint alleging that a Council employee, labour hire staff, or contracted employee has violated or failed to comply with this Policy.

There is an expectation that employees will report any workplace behaviour that a reasonable person would suspect breaches this Policy, is a danger to health or safety, to the environment, or amounts to misconduct.

Any employee who fails to comply with this Policy may be liable to disciplinary action, up to and including termination of employment (see Disciplinary Policy and Procedure).

Complaints about an employee's behaviour that is alleged to have breached this Policy will be brought to the attention of the CEO, or delegate or Team Leader PGR.

Complaints about a CEO's behaviour that is alleged to have breached this Policy should be brought to the attention of the Principal Member (the Mayor).

A complaint may be investigated and resolved according to the disciplinary processes of the Council.

Conduct which breaches this Policy may fall under the *Independent Commissioner Against Corruption Act 2012* and referred to either the Office for Public Integrity who investigate corruption of public officers or the South Australian Ombudsman who investigate misconduct and maladministration.

Council employees, as public officers, have a mandatory obligation to report suspected corruption to the Office for Public Integrity.

Nothing in this Policy in any way reduces the rights of an employee or duties of an employer under the *Fair Work Act 1994*, other legislation, an award, an industrial agreement or contract of employment.

Group Managers, Managers and Team Leaders may address an employee's inappropriate conduct and behaviour through informal means, where appropriate, to immediately address the behaviour in a constructive manner before the matter is escalated in accordance with the Council's disciplinary processes. This will be at the discretion of Council and subject to the severity of any breaches of this Policy.

5. Our responsibilities

The Senior Leadership Team has the overall responsibility to ensure the proper operation of this Policy.

All Leaders are responsible for ensuring they:

- clearly communicate the Code of Conduct to all team members, ensuring they understand its expectations and implications;
- demonstrate the expected standards of conduct in their own actions and interactions;
- promptly address any breaches of the Policy, taking appropriate disciplinary action when necessary; and
- foster a culture of respect, integrity, and fairness within their teams.

All Team Members are responsible for ensuring they:

- familiarise themselves with the Code of Conduct and adhere to its principles in their daily work;
- notify appropriate authorities of any suspected breaches of the Policy, including unethical or illegal behaviour;
- handle sensitive information responsibly and in accordance with the Policy's guidelines; and
- conduct themselves honestly, ethically, and professionally in all interactions.

The People, Governance & Risk Team is responsible for ensuring that they:

- create, review, and update the Policy to reflect current legal requirements and organisational values;
- provide comprehensive training to all employees on the Policy, its implications, and reporting procedures;
- investigate complaints of Policy violations, conducted thorough inquiries and taking appropriate disciplinary action when warranted;
- implement systems to monitor adherence to the Policy and identify potential areas for improvement; and
- foster a culture of ethical behaviour throughout the organisation, encouraging employees to report concerns and seek guidance when needed.

6. Related documents

- HR Form - Notification of other Employment;
- Bullying and Harassment Policy;
- Disciplinary Policy and Procedure;
- Children and Vulnerable Persons Policy;
- Fitness for Work Policy; and
- Alcohol and Drug Procedure.

7. Legislation

- *Local Government Act 1999;*
- *Child Safety (Prohibited Persons) Act 2016;*
- *Independent Commissioner Against Corruption (ICAC) Act;*
- *Fair Work Act 1994;*
- *Ombudsman Act 1972;* and
- *Work Health and Safety Act 2012.*

8. Policy endorsement

Signed: 

Chief Executive Officer

Date:

31/03/2025

HR Policy - Employee Code of Conduct V1.0

Final Audit Report

2025-03-31

Created:	2025-03-31
By:	Brittany Hensley (bhensley@walkerville.sa.gov.au)
Status:	Signed
Transaction ID:	CBJCHBCAABAAVjYdnDhH5JosHF-NdZ575Kz0xAMuHelR

"HR Policy - Employee Code of Conduct V1.0" History

-  Document created by Brittany Hensley (bhensley@walkerville.sa.gov.au)
2025-03-31 - 1:07:26 AM GMT
-  Document emailed to Dr. Andrew Johnson (ajohnson@walkerville.sa.gov.au) for signature
2025-03-31 - 1:07:31 AM GMT
-  Email viewed by Dr. Andrew Johnson (ajohnson@walkerville.sa.gov.au)
2025-03-31 - 1:08:15 AM GMT
-  Document e-signed by Dr. Andrew Johnson (ajohnson@walkerville.sa.gov.au)
Signature Date: 2025-03-31 - 1:26:07 AM GMT - Time Source: server
-  Agreement completed.
2025-03-31 - 1:26:07 AM GMT