

Code of Conduct

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A message from the Chief Executive Officer



Firstly, I would like to welcome you to the organisation, as an employee of Council we all have a responsibility to conduct ourselves in a way that demonstrates high standards of ethics and behaviour when dealing with our community, councillors and each other.

This Code of Conduct provides guidance across a range of actions and decisions to enable all of our employees to understand what is required of them in a particular situation. It is intended as a guide and as such cannot cover every scenario.

I ask and expect all employees to familiarize themselves with the Code of Conduct and to be guided by its intent.

The Staff Code of Conduct will be widely promoted to all staff bringing a sense of unity to the complex nature of Council in terms of its multi-functional structure and diverse cultural backgrounds of staff.

Julie Salomon
Chief Executive Officer

Section 1: About our Code of Conduct

1.1 Why do we have a Code of Conduct?

Although this Code is required by Section 49 of the Local Government Act 2020, we also believe that the adoption of a Code of Conduct represents good management practice.

In addition, there are standards of conduct that the community and our colleagues expect of us all. Our reputation influences how our community feels about our services, and how ratepayers, residents and visitors perceive us. Conducting ourselves with integrity is critical to building and maintaining trust and confidence in us and our organisation. Council has developed this code as a statement of commitment to how we will conduct ourselves and our business, and how we will work with the public, our clients and colleagues

The purpose of the Code of Conduct is to set out Strathbogie Shire Council's expectations of staff at all levels in performing duties or acting on behalf of council. It sets a consistent approach to, and common understanding of, the behaviours, standards, values, and ethics required in all work activities, and instructs and advises you on how to avoid situations that may damage your reputation or that of Council.

Everyone should be aware that breaches of this code may lead to disciplinary action including termination of employment with Council.

Read it. Understand it. Follow it.

1.2 Who is covered by the code?

The Code of Conduct applies to all Council employees and representatives including:

- full-time, part-time and casual employees
- permanent and temporary employees, including work experience or graduates performing work for Council
- temporary and casual individuals engaged through an agency
- staff on exchange or secondment.

Additionally, this code applies to contractors, volunteers and external parties when they work for and represent Council, including on Council committees and those employed by Council's subsidiaries in any capacity.

The Code of Conduct applies to any situation which could be identified with or reflect on the Council, including out-of-hours activities such as social functions, using Council vehicles, attendance at conferences or any time when wearing a Council uniform or identification badge.

If you are unsure whether or how this Code of Conduct applies to you, check with your manager or the People and Culture Department.

1.3 What you will find inside this code?

The Code provides practical information about laws and regulations, expectations and principals. It also includes links to further information sources to help you use your own good judgement.

It would be impractical for this code to describe every requirement of employees or present all the details of the policies that affect their conduct. Instead, it has been written to make employees aware of the range of ethical issues and legislation that affects their behaviour at work and to point to where they can find out more detailed information about procedures or policy. It is also up to employees to seek information when they need to clarify any area of conduct.

Section 2: Our Values

The conduct of Council employees must be above reproach. For us to achieve this we must have shared values and a clear understanding of what is expected of us as an employee. Our values are the foundation for how we treat one another.



Council is committed to promoting and celebrating its values of:

- **Progressive and Responsive** – We are leaders in local government innovation and are responsive to the community.
- **Open and Honest** – Leaders are open and accessible. Staff are confident to speak their mind. We value honesty.
- **Fair and Consistent** – We are fair and consistent in our thinking, actions, and decisions.
- **Selfless and Inclusive** – We take a “Shire First” approach and value the participation and opinions of all.

Section 3: Definitions

Act	refers to the <i>Local Government Act 2020</i> and any supplementary amendments or inclusions to the Act.
Bribe	means money, reward or service offered to procure action, decision, or preferential treatment in favour of the giver or another person.
Chief Executive Officer	is the person appointed by Council to be its Chief Executive Officer (CEO) or any person acting in that position.
Conflict of Interest	a conflict of interest exists when a reasonable person in possession of the relevant facts would conclude that the person in question has a private or personal interest sufficient to inform the objective exercise of their official duties.
Contractor	has the same meaning as Staff in this code.
Council	means Strathbogie Shire Council.
Councillor	A person who holds the office of Councillor as defined in the Act.
Direct Manager	employees in a position where they have staff reporting to them. This may include, but not limited to, Team Leaders, Supervisors, Coordinators, Managers, Executive Managers, Directors or the CEO. This includes people acting in the role.
Disciplinary Action	refers to action by Council, to discipline an employee for unsatisfactory or unacceptable performance, behaviour and/or conduct or breach of Council policies, procedures or legislation.
Employee	has the same meaning as Staff in this code.
Enterprise Agreement	refers Strathbogie Shire Council Enterprise Agreement No. 9 - 2019 or its successor
Ethics	are the guiding values, principles and standards that enable people to determine how things should be done and how they should act.
Gifts	are unsolicited and meant to convey a feeling of goodwill on behalf of the giver and where there is no expectation of favours or repayment.

Hospitality	is the provision of food or beverages, travel, accommodation or entertainment offered to convey goodwill on behalf of the giver for which there is no expectation of favours or repayment.
Misconduct	is defined as conduct that may justify the imposition of a disciplinary sanction, such as written warning or termination (with notice).
Procedural Fairness	is the concerned with the decision-making process followed or steps taken by the decision maker rather than the actual decision itself, for example ensuring all parties have an opportunity to respond to any allegations.
Serious misconduct	is defined in the Fair Work Regulations (2009) and is considered to be matters of such seriousness that the employment relationship is unable to continue.
Staff	Council staff include the Chief Executive Officer (CEO), senior officers, senior executive officers, directors, managers, full-time, part-time and casual staff. For the purposes of this code, staff also includes work experience students, graduate placements, agency staff, representatives, agents and partner organisations, contractors working in house, and other third parties. For the purposes of this code, employees and staff are considered the same thing.
Volunteer	has the same meaning as Staff in this code.
Workplace	is the place of employment and includes any place an employee attends for the purpose of carrying out any function related to their engagement with Council. It includes any work-related conferences, work functions or business trips.

Section 4: Relevant legislation and policies

State and Federal legislation relevant to the obligations set out in this Code includes:

- Fair Work Act 2009
- Local Government Act 2020
- Occupational Health & Safety Act 2004
- Equal Opportunity Act 2010
- Public Interest Disclosure Act 2012
- Privacy and Data Protection Act 2014
- Freedom of Information Act 1982
- Victorian Charter of Human Rights and Responsibilities 2006
- Public Records Act 1973
- Strathbogie Shire Council Enterprise Agreement 2019-2023 or its successor

This Code is not intended in any way to diminish the requirements as outlined in the legislation listed above.

Council Policies relevant to the obligations set out in the Code include:

- Privacy Policy and Data Collection Policy
- Procurement Policy
- Fraud and Corruption Policy
- Child Safe Policy
- Gift, Benefits and Hospitality Policy
- Protected Disclosure Policy and Guideline
- Discretionary Expenditure Guideline
- Councillor Code of Conduct

- Disciplinary CEO Directive and Guideline
- Drug and Alcohol in the Workplace CEO Directive
- Respectful Workplaces CEO Directive
- Workforce Diversity CEO Directive
- Occupational Health and Safety CEO Directive
- Prevention of Bullying and Occupational Violence CEO Directive
- Sexual Harassment Policy
- Records Management CEO Directive
- Conflict of Interest Guideline

Section 5: People, Health & Safety

Managers must ensure employees and others working on behalf of Council know the legal obligations that affect them. As an employee you are required to comply with safe systems of work and not breach them, either deliberately, negligently or by coercing another to breach those standards. If you see a hazard to others, you must report it immediately to your direct Manager or Health and Safety Representative.

5.1 Equal Opportunity

The Equal Opportunity Act 2010 covers discrimination in the workplace, which is unlawful and will not be tolerated by Council. Unlawful discrimination may be direct or indirect.

Your responsibility

- Respect everyone you deal with and behave fairly towards them. You should understand the value of diversity and not discriminate.
- It is against the law to discriminate on the basis of age, sex, gender identity, marital status, sexual orientation, lawful sexual activity, breastfeeding, parental/carer status, disability, physical features, race, religion, personal association, irrelevant criminal activity, employment or industrial activity, pregnancy and political belief.
- You should base recruitment, evaluation, promotion, training, development, discipline, compensation and termination decisions on qualifications, merit, performance and business considerations only.
- You should be aware of relevant legislation and cultural factors that may impact decisions.

Challenge yourself

- Are you being fair and respectful?
- Have you considered the other person's view?
- Are your personal feelings, prejudices or preferences influencing your decisions?
- Do you understand cultural practices and customs?

Where to find more information

- Strathbogie Shire Intranet
- Workforce Diversity CEO Directive
- Prevention of Bullying and Occupational Violence CEO Directive
- Gender Equity Policy
- Victorian Equal Opportunity and Human Rights Commission (VEOHRC) website.
<http://www.humanrightscommission.vic.gov.au>

5.2 Human Rights

The Victorian Charter of Human Rights and Responsibilities 2006 ('the Charter') contains 20 basic rights that promote and protect the values of freedom, respect, equality and dignity. The

Charter aims to ensure government bodies, public bodies, local Councils and public servants observe certain rights when creating laws, setting policies and providing services. Council is committed to upholding all of the rights, principles and values set out in the Charter and to educating employees on the rights set out in the Charter.

Your responsibility

- You should act in accordance with the rights, principles and values set out in the Charter.

Where to find more information

- Strathbogie Shire Intranet
- Workforce Diversity CEO Directive
- Prevention of Bullying and Occupational Violence CEO Directive
- Victorian Equal Opportunity and Human Rights Commission (VEOHRC) website.
<http://www.humanrightscommission.vic.gov.au>

5.3 Drug and Alcohol Use

Employees are not to report for any duty at any time under the influence of illicit drugs, alcohol or medication, to the extent that it may impair their ability and the ability of their colleagues to safely and effectively perform their work requirements. This includes, but is not limited to, the ability to safely operate Council vehicles, pool cars, items of plant and equipment and provide a service to residents, clients and customers of Council.

Where possible, Council will endeavour to assist affected employees, in a confidential manner, to understand and manage the effects emanating from the misuse of illicit drugs, alcohol and medication. Employees experiencing difficulties in this area are encouraged to utilise the EAP Program provided by Council.

Your responsibility

- You have a duty of care whilst at work to take reasonable care for your health and safety and that of others who may be affected by your acts or omissions.

Where to find more information

- Strathbogie Shire Intranet
- Drugs and Alcohol in the Workplace CEO Directive

5.4 Bullying, Harassment & Sexual Harassment

Council has zero tolerance to violence, threats or harassment of any kind at work or work-related events by Council staff against anyone. Employees are expected to take active steps, so far as is reasonably practicable, to eliminate all forms of bullying, threatening or harassing behaviour in the workplace.

Bullying and harassment is not acceptable and will not be tolerated. Council will not accept any action, conduct or behaviour, which is humiliating, intimidating or hostile. You should be particularly sensitive to actions or behaviours that may be acceptable in one culture but not in another.

Sexual Harassment

Sexual Harassment is not acceptable and will not be tolerated. Council will not accept any unwelcome, unwanted or uninvited behaviour of a sexual nature towards another person which could reasonably be expected to make that other person feel offended, humiliated

and/or intimidated. You should be particularly sensitive to actions or behaviours that may be acceptable in one culture but not in another.

Your responsibility

- Treat others with respect and avoid situations that may be perceived as inappropriate. Respectfully challenge someone if you find their behaviour hostile, intimidating or humiliating. Bullying, Harassment and Sexual Harassment can result in disciplinary action and even dismissal.

Principles

- Do not physically or verbally intimidate or humiliate others.
- Do not make inappropriate jokes or comments. If you are unsure whether something is inappropriate assume that it is.
- Never distribute or display offensive or derogatory material, including pictures.
- Don't be afraid to speak up and tell a person if you are upset by their actions or behaviour. Explain why and ask them to stop.

Challenge yourself

- Have you behaved appropriately?
- Have you behaved unreasonably or in an intimidating or threatening manner?
- Have you made inappropriate jokes or comments?
- Have you distributed or displayed potentially offensive material?

Where to find more information

- Strathbogie Shire Intranet
- Workforce Diversity CEO Directive
- Sexual Harassment Policy

5.5 Occupational Health and Safety

Council, in accordance with the Occupational Health and Safety Act 2004 (Vic) ('the OHS Act'), is committed to providing and maintaining a safe and healthy work environment wherever reasonably practicable for employees, contractors and visitors at all Council workplaces.

Your responsibility

- Staff at all levels have legal responsibilities under the OHS Act. In particular, direct managers are responsible for providing and ensuring a safe workplace. Staff at all levels must always consider their own safety and the safety of others whilst at work.
- Follow safety policies, guidelines and procedures
- Report any unsafe work practices or environments
- Follow all reasonable directions on safety
- Use any protective clothing or other personal protective equipment provided.

Council has developed and documented policies, procedures and instructions in relation to a wide number of OHS matters, including WorkCover, rehabilitation, specific hazard identification, risk assessment, risk control and accident reporting.

As staff of Strathbogie Shire Council, we will diligently adhere to all OHS policies, procedures or instructions written or otherwise, and note that breaches may constitute misconduct.

Challenge yourself

- Do you wear your personal protective equipment correctly?
- Do you undertake risk assessments before undertaking a new task?

- Do you ensure your worksite is safe for yourself, your colleagues and the public?

Where to find more information

- Strathbogie Shire Intranet
- Occupational Health and Safety CEO Directive
- OHS Procedures
- Health and Safety Representatives

5.6 Presenting fit for work

Council recognises that an individual's fitness for work may be affected by their physical wellbeing, or from the adverse effects from fatigue, illness, stress, alcohol, illicit drugs or medication.

Your responsibility

- You have the responsibility to assess your own fitness for work and to take appropriate actions.
- You need to take reasonable care for your own health and safety and the health and safety of others affected by your actions.

Principles

- Employees have a legal responsibility under the OHS Act to take reasonable care for their own health and safety, take reasonable care for the health and safety of others who may be affected by their acts or omissions, and to cooperate with their employer in relation to meeting their OHS obligations under the Act.
- Management will endeavour to identify those at risk and acknowledges fatigue, stress, and the use of alcohol, illicit drugs or medication may be symptoms of an underlying issue.
- Where appropriate, Council will assist an affected employee in accessing appropriate assistance for any identified issue.

Challenge yourself

- Do you stay home from work when you are sick?
- Have you advised your manager of any new medication you are taking that may impact your ability to work?
- Have you had an adequate rest period from work?

Where to find more information

- Strathbogie Shire Intranet
- Occupational Health and Safety CEO Directive
- OHS Procedures
- Health and Safety Representative

5.7 Criminal Offences

Council is committed to maintaining the welfare of its employees and promoting an ethical and professional work environment.

Your responsibility

- You must advise your manager or the People and Culture Department at the earliest possible opportunity if you are charged with a criminal offence including details about the charge.

Principals

- The relevant manager, in consultation with People and Culture, will review any connection between the alleged offending conduct and the staff member duties, role, position or status.

Where to find more information

- Strathbogie Shire Intranet
- Security Check CEO Directive

5.8 Vehicle Driving Licences

This section only applies to employees who require a driving licence as a mandatory requirement of their position and employees who use Council vehicles.

Your responsibility

- You must ensure your driving licence remains valid and provides the appropriate licence endorsements for the type of vehicle being driven (e.g. heavy vehicle).
- You must display 'P plates' if you are still on your probationary driving licence
- You must advise your manager immediately if your driving licence has been cancelled, suspended or restricted.

Principles

- Where an employee's driving licence is cancelled, suspended or restricted in a role where it is a mandatory requirement to possess a driving licence, the employee may be requested to take leave or terminated from their role.
- Council will undertake regular assessments (with the employee's consent) to ensure that a driving licence is current and valid for the purpose required. This will include for example when taking possession of a new Council vehicle at change-over.

Where to find more information

- Strathbogie Shire Intranet
- Motor Vehicle CEO Directive

Section 6. Anti-corruption practices

6.1 Conflicts of Interest

The Local Government Act 2020 ('the Act') defines the circumstances that give rise to a conflict of interest for Councillors, members of Council special committees, Council employees and contractors engaged to provide advice or services to the Council or a special committee of the Council. The Act also specifies the actions that must be taken to resolve a conflict of interest. Under the Act, a conflict of interest arises if a relevant person has a direct interest or an indirect interest in a matter.

Your responsibility

- You must avoid conflict of interest. A person in public office has a conflict of interest when they also have a personal or private interest that might compromise their ability to act in the public interest. A conflict of interest can influence your decision-making or be perceived to do so.

Principles

- A person has a direct interest in a matter if there is a reasonable likelihood that the benefits, obligations, opportunities or circumstances of the person would be directly altered if the matter is decided in a particular way. This could include where they are likely to directly gain or lose financially.

- Council policy requires Managers to arrange for written records to be made of 'Assemblies of Councillors'.
- Statutory obligation for employees to disclose conflicts of interest in matters where they have a delegated power, duty or function of Council.
- Statutory obligation for employees to disclose direct or indirect interests when providing advice or a report to a Council meeting or a special committee of Council.
- Council policy requirement for employees appointed to a 'tender evaluation panel' or an 'employee appointment evaluation panel' to disclose any direct or indirect interests to the Convenor of the Panel.
- Council policy requirement for employees who have engaged, or propose to engage, a contractor to discuss conflict of interest issues prior to engagement and to manage any conflict of interest issues arising during the course of the project.
- Council policy requirement for employees to comply with the 'Gifts and Hospitality' Code – see Clause 6.3 of this Code
- Council policy requirements for employees to advise their Direct Manager of outside employment, business interests, or other activities which may give rise to a conflict of interest. Council policy requirement for all Senior Officers to submit a periodic Declaration of Interests.

Challenge yourself

- Are you hiring, managing, reviewing or appraising a relative or friend?
- Are you using your position for personal gain?
- Have you personally gained from confidential information?
- Are your personal relationships influencing business decisions?

Where to find more information

- Strathbogie Shire Intranet
- Conflicts of Interest – Disclosure Guidelines for Council Staff

6.2 Outside employment or activities

Council actively discourages participation in any outside business (including a family business) on either a part-time or freelance basis.

Your responsibility

- You must obtain written permission from the CEO delegate before engaging in any outside employment or remunerative activity (including any employment, work or service for which payment is made by way of pay, salary, honorarium, commission, fee, allowance or other reward).
- Generally, it is not necessary for staff to obtain permission to involve themselves in or undertake voluntary or unpaid activities or paid recreational activities (for example, sport coaching) unless there is an actual or potential conflict of interest between such activity and their duties and/or role as a Council staff member.
- You are obliged to ensure that any secondary employment or outside activities, whether paid or voluntary, does not create a conflict of interest and/or duty with your role at Council.

Principles

- It is expected that outside employment or activities will not impact on your primary employment at Council. Examples of such "impact" may include, but not be limited to, increased absenteeism, an inability to perform the inherent requirements of your role, an inability to fulfil the obligations of a return to work or support plan, or insufficient

break between starting/finishing the primary employment and starting/ finishing the outside employment or activity.

- No employee who has knowledge of commercially sensitive or non-public available information shall engage in any outside business activity with a supplier without first obtaining written authorisation from their Executive Leader.
- An employee who engages in business activity for an outside company shall not render service to Council on that company's behalf.
- Where a conflict of interest and/or duty exists, the employee's direct Manager, following discussion with their Executive Leader and the People & Culture Department, will determine whether the conflict can be managed effectively. Where it is determined that the conflict cannot be managed effectively, the employee will be required to choose between their employment with Council and their secondary employment or outside activity.
- Staff who leave Council to work with a non-government employer will avoid situations which would result in an unfair advantage for their new employer. This holds particularly in the case where the employer is bidding for a local government contract or is competing for a grant or similar disbursement of public moneys.

Challenge yourself

- Are you using your sick leave or Rostered Days Off to work privately or at an organisation other than Council?
- Are you using your position or knowledge from Council to benefit your outside employment?

Where to find more information

- Strathbogie Shire Intranet
- Conflicts of Interest – Disclosure Guidelines for Council Staff

6.3 Gifts and Hospitality

Council is committed to being open and transparent in its operations to minimise the risk of being placed in a compromising position that may have an adverse effect on its public endeavours and the promotion of trust within the community.

Your responsibility

- At all times be ethical, fair and honest when conducting official duties.
- Be fully accountable and responsible for your actions and ensure that the methods and processes you use to arrive at decisions are beyond reproach and can withstand audit processes and proper scrutiny.
- Do not seek, solicit, or use your position with Council to obtain gifts or benefits from external organisations or individuals.
- Ensure that a person, company or organisation is not placed in a position in which they feel obliged to offer gifts or hospitality to secure or retain Council business.
- Report any incidence where a bribe and/or cash are offered.
- Report any gifts or hospitality you have been offered or have received.

Principles

- Be aware that fraudulently receiving a gift (including hospitality) is an offence under both common law and the Local Government Act.
- Gifts can be in many forms – they can be monetary gifts including cash or vouchers; property, goods and services; and hospitality including meals, travel and entertainment.

- Accepting a gift from another person or organisation can give the impression that you are using your position for personal gain, rather than to serve the community, this can reflect badly on you and Council. It may also prevent you from undertaking duties that you have been appointed to perform.
- You should be mindful that all gifts, benefits and hospitality must be declared by all staff regardless of their value and whether or not the offer was declined.
- All declared gifts, benefits and hospitality will be entered onto Council's Gift, Benefit and Hospitality Register and available for public review upon request.
- You should be mindful that a gift or gifts (including hospitality) to the total value of the 'gift disclosure threshold' defined in the Local Government Act (currently \$500) received from persons or organisations during the previous 5 years will give rise to a conflict of interest which must be formally disclosed to the CEO
- Hospitality and bequests are a form of gift but for the purpose of this code are addressed separately.

6.3.1 Gifts

Employees must not seek gifts, rewards or benefits in connection with the performance of their duties. The following protocols apply in relation to acceptance of gifts:

- Promotional gifts (usually small office or business accessories) received when attending a seminar or corporate event can be accepted. These are usually mass-produced and not given as a personal gift.
- Ceremonial gifts can be accepted by an employee on behalf of Council. Ceremonial gifts are considered to be a gift to the Council not the employee.
- Modest gifts of appreciation (flowers, chocolates, tie/scarf or beverages) presented to an employee who has made a presentation at a corporate or community event can be accepted.
- All other gifts should be politely declined or returned.
- If a gift cannot be declined or returned, or if refusal has the potential to damage Council's relationships, then the gift may be accepted but must be reported to the relevant Manager using the Council Gifts, Benefits and Hospitality form, which can be found on Strathbogie's Intranet.

6.3.2 Hospitality

Employees may from time to time receive invitations of hospitality to attend various functions and events.

Where hospitality is modest in nature and provides an opportunity to network or undertake business of a common purpose, it may be appropriate to accept such invitations, but approval should be obtained from the relevant Manager.

Note: Reasonable hospitality received by the person at an event/function the person attended in an official capacity is not included in the applicable gift threshold.

Where the hospitality is likely to create the impression that an attempt is being made to compromise your impartiality, or the hospitality could be perceived as a conflict of interest then the offer of hospitality should be politely declined.

Proposals to accept hospitality when an event is being attended in an unofficial capacity must be referred to the relevant Manager for determination using the Council Gifts, Benefits and Hospitality form, which can be found on Strathbogie's Intranet.

6.3.3 Bequests

Bequests made to employees as a direct result of their position with the Council must not be accepted. Offers of bequests must be referred to the relevant Manager for determination using the Council Gifts, Benefits and Hospitality form, which can be found on Strathbogie's Intranet.

6.3.4 Approval and Reporting

Details of gifts, hospitality and bequests received or proposed to be accepted are to be registered using the Council Gifts, Benefits and Hospitality form, which can be found on Strathbogie's Intranet.

The form will record the date, description and estimated value of the gift, the recipient employee, the name of the provider (individual or organisation) and the approved treatment of the gift.

The Manager is to determine whether the gift, hospitality or bequest is to be accepted and, if accepted, determine how the gift, hospitality or bequest is to be treated:

- Gifts and hospitality should only be approved when acceptance provides value to the Council, acceptance does not advantage the host and acceptance does not give rise to a potential conflict of interest.
- It may be determined that Council retain or appropriately dispose of a gift – options for disposal include donation to a charitable or not-for-profit organisation, donation to Council's Social Club or distribution in an equitable manner within the relevant Work Unit, Department or Directorate.
- Options for treatment of bequests include accepting the bequest on behalf of the Council, donating the bequest to a charitable organisation in the name of the person or returning the bequest to the immediately family.

The completed and endorsed Council Gifts, Benefits and Hospitality form is to be forwarded to Records for workflow allocation to the Executive Assistant to the CEO for incorporation into a Gifts, Benefits and Hospitality Register. The Gifts, Benefits and Hospitality Register will be reviewed quarterly by the Executive Manager Governance and Customer Service to facilitate consistent and appropriate cultures in relation to acceptance of gifts and hospitality, with the findings to be reporting to the Executive Leadership Team and the Audit and Risk Committee.

Challenge yourself

- Did receipt of the gift or hospitality make you feel you were under any obligation?
- Is the gift being given as an exceptional reward or incentive for a transaction?
- Is the gift or hospitality inappropriate or illegal?
- Is the timing of the gift or hospitality sensitive (i.e. during negotiations, Tender determination)?

Where to find more information

- Strathbogie Shire Intranet
- Gift, Benefits and Hospitality Policy

6.4 Fraud Prevention and Control

Fraud is defined as dishonest activity that causes actual or potential financial loss to any person or entity. Council will not tolerate fraud in any form. All Council employees must take appropriate action to prevent and report suspected fraud and corruption.

Your responsibility

- You should be aware of your role in relation to fraud prevention, and any instances of fraud or suspected fraud must be reported. You can report fraud/suspected fraud to your Direct Manager, your Executive Leader and the Executive Manager Governance & Customer Service.

Principles

- Employees who report fraud/ suspected fraud, or who assist in the investigation of fraud/suspected fraud will not be victimised.

Challenge yourself

- Have you 'shared' your computer password with anyone?
- Have you approved a purchase order or invoice for goods or services that Council did not receive, or you personally received?
- Have you falsified Council's reports or documents?

Where you can find more information

- Strathbogie Shire Intranet
- Protected Disclosure Policy
- Fraud and Corruption Policy

Section 7: Social Media

Any written or verbal communication made publicly on behalf of Council is a public disclosure. Information disclosed must be true, accurate, consistent and not misleading. Inaccurate information disclosed can damage Council's reputation.

Employees who use Social Media for personal use are expected to demonstrate professional conduct, integrity and care in discharging their responsibilities on behalf of Council.

Your responsibility

- Do not imply the personal views you share on social media are endorsed by Council.
- You must not let your behaviour on social media bring Council into disrepute. Don't make any comments that are defamatory, threatening, harassing, indecent, unlawful, discriminatory or disparaging about your work, Councillors, Officers or customers. Don't disclose any confidential information.
- You must not create, post or share (in an official capacity) to a Council social media account, unless authorised to do so by the Communications and Engagement department.
- Alert your manager if your corporate or personal social account becomes a target for harassment or defamation in relation to your work.
- We encourage you to share corporate posts to help spread messages to a wider audience.

Principles

In your communications:

- use social media wisely
- do not mislead
- do not discuss or write speculative opinions
- do not exaggerate
- do not engage in conversation on sensitive, confidential or matters legislated under relevant Acts; and
- do not joke about serious matters

Challenge yourself

- Do you need to communicate this information?

- Is the information respectful, will it upset, humiliate or intimidate?
- Is this communication lawful?
- What is the best way to communicate?
- Would you be comfortable if the information you posted was used as evidence in legal proceedings?

Where you can find more information

- Strathbogie Shire Intranet

Section 8: Interacting with children and young people

All Council employees are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children and young people.

Council prides itself on being a child safe organisation and has zero tolerance for child abuse. A child refers to a person who is under the age of 18. Council adheres to the Victorian Child Safe Standards and related legislation including Failure to Disclose, Failure to Protect and Grooming offenses. Any allegation or incident of abuse will be treated very seriously and consistently with child protection legislation, regulations and guidelines and in accordance with policy and procedures.

Employees must maintain the highest standards of professional conduct in their attitude, behaviour and interactions with children and young people. We are expected to uphold the rights and best interests of the child in all decision making.

Your responsibility

- You are responsible for supporting the safety, participation, wellbeing, and empowerment of children.
- You are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children and young people.

Principles

- Council is a child safe organisation.
- Council provides a safe working environment and values child safety.
- Council adheres to the Victorian Child Safe Standards.
- All new Council employees and volunteers working directly with children are required to have a 'Working with Children Check'.

Challenge yourself

- Is my behaviour towards children and young people appropriate?
- Do my actions and behaviours demonstrate a commitment to child safety?

Where you can find more information

- Strathbogie Shire Intranet
- Child Safe Policy
- Victoria's Child Safe Standards

Section 9: Confidentiality and privacy

Confidential information means any information about Council acquired by an employee during their employment with Council and which relates to Council, its customers, or Councillors, unless that information falls into the public domain.

Confidential information includes but is not limited to intellectual property, computer software and programs, know-how, policies, financial affairs and strategic and business plans. It is prohibited to disclose any confidential information, either during or after employment with Council, to any person not authorised to receive it, or to use the confidential information for any purposes other than for the purposes of Council.

Council is also committed to ensuring that all personal information gathered is handled, used and disclosed in accordance with the Privacy and Data Protection Act 2014, the Health Records Act 2001 and Council's Data Collection and Privacy Policy. Staff will maintain the integrity and security of official information for which they are responsible. Staff will also ensure that the privacy of individuals is maintained and will only release information in accordance with relevant legislation, industrial instruments, policy or lawful and reasonable direction.

Additionally, Council obtains a significant amount of general information in the course of performing its functions, and this information is stored in Council's record keeping system, InfoWise. It is critical that access to this information is restricted to only those employees with a legitimate need to it. This is achieved through the use of "privileges" and all employees are required to ensure that privileges are used appropriately. Staff will not access or attempt to access official information other than in connection with the performance by them of their duties and/or as authorised.

Where you can find more information

- Strathbogie Shire Intranet
- Data Protection and Privacy Policy

Section 10: Councillor relationships

Council is committed to developing and maintaining strong working relationships with its elected representatives while maintaining the integrity of the decision-making processes.

In the Strathbogie Shire Council Councillor Code of Conduct, Councillors have acknowledged that they will work cooperatively with the CEO and other members of staff, and recognise the division of responsibilities and that the role of Councillors is one of advocacy and leadership and that the CEO is responsible for management and administration.

They will seek information on strategic and service issues and clarification in relation to Council reports, committee reports and briefing papers from the CEO or the relevant Executive Leader or other Senior Officers (for example the relevant Manager and/or the author/presenter of a particular report).

Councillors will have some contact with other employees at an operational level including customer requests for service and in relation to Councillor support and facilities.

Councillors also recognise that as a small rural shire, there is likely to be informal contact between Councillors and staff at various times and in various places. They encourage friendly and respectful interaction while acknowledging that formal advice to Council and Councillors comes via the CEO and senior management and that this is the advice on which Councillors are entitled to rely.

In line with occupational health and safety, human rights and equal opportunity legislation, Councillors are committed to ensuring that their interactions with staff do not breach the requirements of this legislation. As such they are also committed to protecting the health, safety and well-being of all Councillors and staff and will provide, as far as is practicable, a

safe Council working environment that is free from bullying, harassment, discrimination and violent behaviour.

It is an offence for Councillors to seek to improperly direct or influence an employee in the exercise of any power or in the performance of any duty or function. Employees should report any concerns in this regard to their direct Manager.

No employee will actively support or discourage candidates to Council elections. There will be no canvassing of Councillors for improper personal gain.

Where social interaction occurs between Councillors and staff, any discussion of Council business and/or operational matters is prohibited.

Where you can find more information

- Strathbogie Shire Intranet
- Councillor Code of Conduct
- Mutual Respect Charter

Section 11: Procurement

Council spends a significant amount of its budget each year on the procurement of goods and services acquired through external parties. It is critical that Council's purchasing practices are undertaken in a consistent and appropriate manner and that they comply with the Local Government Act.

As an Officer of Council, you must be mindful of your role and financial responsibilities and must ensure that all procurement is within your delegated authority. Where purchases exceed your authority, the intended procurement should be referred to an employee with the appropriate delegated levels, or to Council itself for a decision.

Council's procurement processes must be undertaken in a way which meets the expected standards of probity. This includes consistent application of clear and established procedures, compliance with policies and legislation, consideration of the suppliers involved in any tendering or quotation process, and clear and transparent decision making.

Details of specific requirements are set out in Council's Procurement Policy.

Where you can find more information

- Strathbogie Shire Intranet
- Procurement Policy
- Council's Procurement and Tender Officer

Section 12: Records Management

All employees must keep full and accurate records of all activities conducted on behalf of Council.

Council is required under the Public Records Act 1973 to manage the records it produces and receives in line with standards set by the Public Records Office of Victoria (PROV). To comply with these standards, the Council has established a corporate records management program to manage both paper and electronic records. InfoWise is the primary electronic document and records management system for managing both physical and electronic records across Council. There are also other record keeping systems where Council records are stored and managed for various business functions.

All employees must adhere to Council's Records Management Policy.

Employees are to maintain confidentiality of records they have access to, in accordance with the requirements of the Freedom of Information Act 1982 and the Privacy and Data Protection Act 2014. See *Section 9 for more information about confidentiality and privacy.*

Where you can find more information

- Strathbogie Shire Intranet
- Records Management CEO Directive
- Council's Records Department

Section 13: Appearance and Presentation

Council aims to portray a professional image in all its dealings with the community and visitors. One of the ways it achieves this is by providing to certain employee groups corporate uniforms, protective clothing and items of clothing which carry Council's logo. Accordingly, all employees are required to wear the appropriate clothing relevant to their role. "Outdoor" employees are also required to wear protective clothing, footwear and equipment as directed by Council in accordance with State OH&S Legislation and Council's OHS CEO Directive. Additionally, it is a requirement that all employees who are supplied with identification badges wear them when they are representing Council in activities involving the community and visitors to Council.

A high standard of personal hygiene is expected at all times.

Section 14: Technology

Council has an Information Security Policy and Procedure (including email and internet terms and conditions of use) to assist you when using email and the internet. Council requires all staff who have access to Council's network to act in a responsible and ethical manner and to adhere to the terms and conditions laid out in this policy which includes information about:

- processing and storing corporate knowledge and memory
- handling Council information
- access and using Council information
- ethical conduct in relation to using the system
- protection of confidentiality
- use of passwords
- instructions for use of the IT equipment, including designated drives
- internet browsing limitations
- use of the email system.

Council has legal ownership of the contents of all files stored on the organisation's network, as well as all messages transmitted via these systems. You should know and understand that management reserves the right to:

- examine electronic mail, personal file directories, hard disk drive files, and other information stored on Council's network
- monitor and read messages sent over Council's email systems
- take action in the case of any breaches of policy

Where you can find more information

- Strathbogie Shire Intranet
- Information Security Policy and Procedure

Section 15: Public Interest Disclosure Act 2013

The purpose of the Public Interest Disclosure Act 2013 is to facilitate disclosures of improper conduct by the Council or its employees and to provide the appropriate level of protection for people who make disclosures.

Protected disclosures about a Councillor must be referred to the Independent Broad-based Anti-Corruption Commission (IBAC) or the Ombudsman. Disclosures about a Council officer/employee can be made either to the Council's Protected Disclosure Coordinator (PDC) or directly to the IBAC.

Where you can find more information

- Strathbogie Shire Intranet
- Protected Disclosure Policy and Guideline
- Council's Executive Manager Governance & Customer Service

Section 16: Leaving Council

When an employee leaves Council they are required to return any tools, equipment or materials including but not limited to vehicles, phones, computer equipment issued to the employee during their employment with Council.

The Return of Council Property Form must also be completed and signed prior to departure.

If the employee has not returned all of the Council's property in his/her possession, Council may withhold any monies owing to the employee from the employee's salary and entitlements at termination

Section 17: What happens if I breach the code of conduct?

Breaches of the code of conduct are taken seriously. Any employee found in breach of a policy will be subject to Council's Disciplinary Policy. If a breach of the policy is substantiated the employee will be required to undergo additional training in their obligations under policy. Depending on the severity of the case, the consequences for breaching a Policy may also involve termination of employment. Any matters involving criminal conduct will be referred to the Police.

We each have a personal accountability to:

- act in accordance with the intent and letter of the code
- not condone behaviour that breaches the code
- report any breaches of the code.

Fraudulent or corrupt behaviour which violates any applicable legislation, as well as the code, will be dealt with according to our Fraud and Corruption Policy. Other breaches of the code will be dealt with according to the Disciplinary CEO Directive and Guidelines.

Contractors and contracted providers or representatives will be managed according to the terms and conditions set out in their contract.

If you have any questions about the code or need more information, it is your responsibility to find the answers. You are encouraged to speak with your people manager, your executive leader, or other Strathbogie Shire Council subject matter experts for more information.

Challenge yourself

If you're not sure whether your conduct is in line with the code, ask yourself:

- Does it feel like the right thing to do?
- What would a customer or community member expect me to do in the situation?
- What would my colleagues or manager think is appropriate?
- What would be the reaction if it was reported in the newspaper?
- What might be the consequences for me and my job if I engage in this behaviour?
- Is my conduct consistent with our values and desired culture?

The laws that govern our activities are often complex, however misunderstanding or being unaware of laws does not relieve you of an obligation to comply

Questions and concerns

If you think a decision or action does not reflect our code and values, you have the responsibility to raise that concern. You do not need to be directly affected by an issue to raise it.

If you're unsure about interpreting the code or have concerns about how it is being applied, please raise these in person with your people manager, a more senior manager or your executive leader.

REPORTING BREACHES OF THE CODE OF CONDUCT

Before considering an action that may be deemed outside this Code of Conduct, consider these 5 steps to inform your decision making:

1. Identify and assess the situation

- What is difficult about the situation?
- What are the legal issues to be considered?
- Does this Code of Conduct require you to behave in a particular way?
- Who else is involved and what effect does your behaviour have on them?

2. Look at the situation from your Council's standpoint

- What are your duties?
- Is there a relevant policy, procedure or protocol?
- Who do you need to involve or consult?

3. Would your behaviour stand up to scrutiny by the public?

This is sometimes called the family or newspaper test.

- What would your family or Chief Executive Officer say if your actions were reported on the front page of the newspaper or other media?
- How others see you as using your employment and resources for the benefit or detriment of Council?
- Do your personal interests conflict with your public duties?

4. Identify and consider the options

- Do you need to seek advice from your Manager, Equal Opportunity Contact Officer, Chief Executive Officer or People and Culture?
- Is there an alternative solution and what would the results of the alternative solution be?
- How would your Chief Executive Officer or the public view the alternative solutions?

5. Choose your course of action

- Your choice of action must be lawful and in accordance with Council's industrial agreements, policies, procedures and protocols

- Your behaviour must support the standards of this Code of Conduct and the Corporate Principles of Strathbogie Shire Council
- You must be able to justify your course of action

Section 18 Dispute resolution process

Any dispute or grievance arising in relation to this Policy must be addressed in accordance with the Complaints, Grievances and Dispute Resolution CEO Directive and Guideline. In the first instance, an aggrieved employee is expected to raise their concerns with their Direct Manager.

ACCESS TO THE CODE

It is important that all staff receive comprehensive education about the Code of Conduct and can easily access the code. The most recent version of this code will be available on the intranet. Hard copies of the code will be made available for staff who do not have regular access to the Intranet.

MONITORING, REVIEW AND EVALUATION

The People and Culture Department is responsible for implementing, monitoring, evaluating and reviewing the Code of Conduct as required from time to time.

CHANGES TO THE CEO DIRECTIVE

Council reserves the right to amend this Code of Conduct from time to time in accordance with relevant legislation and changing Council needs. Employees will be informed of any changes. Please refer to the Intranet for up-to-date copies of policies and procedures.

FEEDBACK

Council staff and community may provide feedback about this document by emailing info@strathbogie.vic.gov.au.

CEO DIRECTIVE	
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Next Review Date:	December 2024
Responsible Officer/s:	Manager People & Culture