



Employee Code of Conduct

Lockyer Valley Regional Council

2023



REGIONAL COUNCIL



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INTRODUCTION

APPLICATION

All Council employees (regardless of their employment status), contractors, agency casuals and volunteers must be familiar with and follow the spirit and content of this Code of Conduct.

The Code of Conduct 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.

The Code of Conduct also applies in other circumstances where our actions may impact upon the reputation and activities of Council.

PURPOSE

This Code of Conduct sets the standards and behaviours related to the way we do our work. It places a responsibility on each of us to utilise sound judgement whilst at work or undertaking activities that may reflect on our employment at Council.

It aims to deliver best practice by ensuring the standards are clear and guided by sound ethics. By consistently applying these standards, we enhance the public's trust and confidence. This Code of Conduct does not interfere with your rights as a private individual or as a ratepayer.

The Code of Conduct does not seek to 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 this Code of Conduct, you can expect to be supported by your colleagues, your supervisor/manager and Council.

A Guide to Ethical Decision Making is included at Appendix B to help you in situations not covered by the Code of Conduct.

COUNCIL STATEMENT

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

All employees must follow the highest standards of behaviour when dealing with customers and each other. Each person should encourage an inclusive culture where ethical conduct is recognised, valued and followed at all levels, including appropriate action to prevent fraud and corruption.

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

VISION, MISSION AND VALUES

VISION

We will deliver sustainable services to enhance the liveability of our community while embracing our economic, cultural and natural diversity.

MISSION

Lead, engage and empower.

VALUES

Values form the basis of our culture. They add meaning to work and they provide a basis for consistent planning and decision making across the organisation. The desired values and behaviours that every employee of Council is expected to demonstrate in their daily activities, in the way they behave and in the way they make decisions are:



Leadership

We lead through excellence and partner with the community to achieve Council's vision and mission.

- I am approachable
- I lead by example
- I treat everyone fairly
- I continue to learn and develop
- I look for opportunities for continuous improvement



Accountability

We accept ownership of our role and take responsibility for our actions. We are results focused, take pride in our successes and efforts and learn from our mistakes.

- I undertake my role to the best of my ability
- I own my actions and decisions
- I strive to do better and learn
- I do what I say I am going to do
- I use Council resources responsibly



Integrity

We strive to be valued and trusted by the Lockyer Valley Community. We are respectful, open, transparent and honest in our dealings with the community. At all times we act in the best interests of the community.

- I take responsibility for my actions
- I am honest in my words and actions
- I respect myself and my team
- I do the right thing, because it's the right thing to do
- I consider the legacy I am leaving for the next person and do the work accordingly



Communication

We embrace diversity and communicate openly and honestly. We listen actively, consider the value and views of others. Our communication is clear, concise and consistent.

- I communicate honestly and respectfully
- I listen to and respect the opinions of all
- I use language to suit the audience
- I create open communication pathways
- I provide information within agreed time frames



Customer Focus

We strive to engage and communicate with our internal and external customers to meet agreed outcomes. We identify and aim to meet the needs of all customers in a responsive and equitable manner.

- I listen respectfully to all customers' feedback and take appropriate action
- I do my best to facilitate a solution
- I am diligent and proactive when responding to customers' needs
- I show empathy to customers
- I treat all customers the same



Teamwork & Collaboration

We value creative thinking and look for opportunities to collaborate and connect to deliver a better Lockyer Valley. We work together by recognising and sharing our talents, skills, experience and knowledge.

- I actively participate and contribute to the best of my ability
- I offer others assistance if they need a hand
- I am always courteous and professional
- I always respect the contributions of others
- I freely share my talents, skills and knowledge

LEGISLATIVE PRINCIPLES

The *Public Sector Ethics Act 1994* identifies four ethics principles fundamental to good public administration, which guides our behaviour as public officials and forms the basis for a local government Code of Conduct.

The four principles are:

1. Integrity and impartiality;
2. Promoting the public good;
3. Commitment to the system of government; and
4. Accountability and transparency.

The *Local Government Act 2009* set outs the way in which a local government is constituted and the nature and extent of its responsibilities and powers. The Act requires that a Council's actions are consistent with the following local government principles:

- Transparent and effective processes, and decision making in the public interest;
- Sustainable development and management of assets and infrastructure, and delivery of effective services;
- Democratic representation, social inclusion and meaningful community engagement;
- Good governance of, and by, local government; and
- Ethical and legal behaviour of councillors and local government employees.

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





1

The First Principle Integrity and Impartiality

The First Principle Integrity and Impartiality

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;*
- b. *Accept and value their duty to provide advice which is objective, independent, apolitical and impartial;*
- c. *Show respect towards all persons, including employees, clients and the general public;*
- 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.*

This requires the following standards of behaviour:

CONFLICTS OF INTEREST

When making decisions, you must declare any conflicts of interest that could affect your objectivity in undertaking 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 supervisor/manager immediately. Your 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 principles, discuss it with your supervisor/manager. Refer to the Conflict of Interest Policy for further information on how to report and manage a conflict of interest.

Senior staff are required by the *Local Government Regulation 2012* to supply written details of interests to the Chief Executive Officer to be included in a Register of Interests and ensure particulars contained in this register remain correct.

Refer to the Disclosure of Personal Information Policy for further information on disclosing personal information.

INFLUENCES ON DECISION MAKING

In undertaking your duties as a Council employee, you must not influence any person in an improper way with the aim to obtain personal advantage or favour.

All Council 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 processes.

You must ensure that any contact with lobbyists complies with the Communicating and Meeting with Lobbyists Guideline and the requirements of the *Integrity Act 2009*.

Refer to Appendix B: A Guide to Ethical Decision Making for further information on how to undertake ethical decision making.

HUMAN RIGHTS

Council is committed to respecting, protecting and promoting human rights. Council has an obligation under the *Human Rights Act 2019* to give proper consideration to human rights when making a decision, and to act and make decisions in a way that is compatible with human rights. To the extent that an act or decision may engage human rights, Council will have regard to the *Human Rights Act 2019* in undertaking the act or making the decision.

ACCEPTING GIFTS, BENEFITS AND HOSPITALITY

Occasionally you may be offered gifts, benefits or hospitality from people or organisations you do business with as an employee of Council.

Pursuant to the *Local Government Act 2009*, 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, benefits or hospitality of a nominal value may be permitted in limited circumstances. However, as a rule you must not accept any gifts, benefits or hospitality 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 undertaking your official duties, or whether people are likely to believe that you could be influenced. For example, ask yourself if accepting the gift, benefit or hospitality could suggest that the giver may or would receive favourable treatment. You must politely refuse gifts, benefits or hospitality which may bring your, or the Council's integrity or impartiality into question.

You are required to declare all offers of gifts, benefits or hospitality in accordance with the Gifts, Benefits and Hospitality Policy and Procedure.

Where required by the *Local Government Regulation 2012* senior staff (including the Chief Executive Officer) must ensure that gifts are recorded in Council's Register of Interests.

Refer to the Disclosure of Personal Information Policy for further information on disclosing personal information.



EMPLOYMENT OUTSIDE COUNCIL

All employees of Council are required to disclose in writing any secondary work/employment that is undertaken outside of their employment arrangements with Council.

It is not Council's intention to stop people from holding secondary employment over and above their official duties as a Council employee. Approval may be 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, including effects from a safety/fatigue management perspective;
- That your private employment does not involve the use of Council resources (physical, technological or intellectual);
- You must ensure that your work outside Council continues to meet the above requirements; and
- Pursuant to the *Local Government Act 2009*, where you seek to be employed by more than one local government at the same time, approval of each of the local governments is required prior to you being appointed to the second position.

Disclosure of this information will ensure that an evaluation can be done of any actual or perceived conflicts of interest that may arise and, if required, allow measures to be put in place to ensure that employees and Council are protected from allegations of inappropriate conduct.

All disclosures will be considered and referred by their relevant manager to the Chief Executive Officer for approval. All disclosures will be determined on a case by case basis. All disclosures must be made in writing and approvals will be recorded on your employee file, with details kept on a register in the Chief Executive Officer's office.

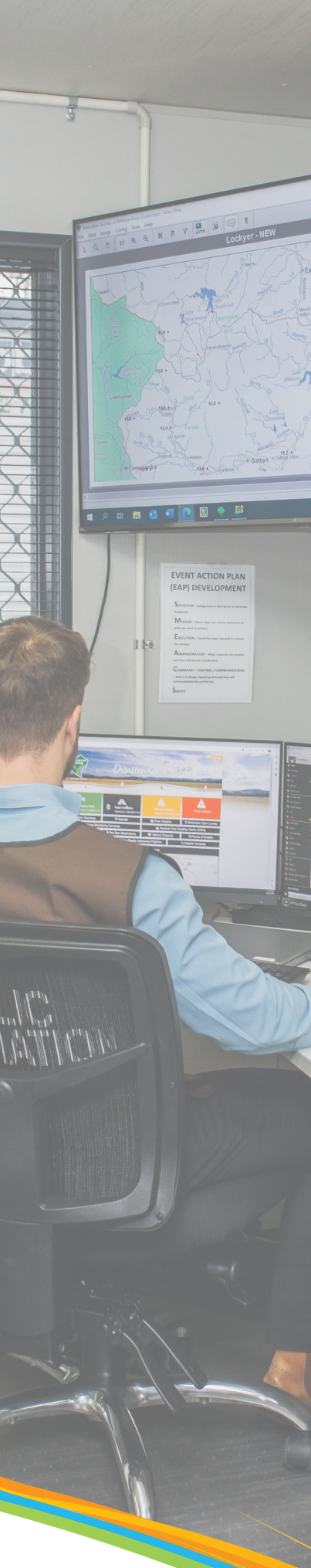
Although you do not need written approval if you undertake voluntary work or a hobby you also need to ensure that these activities meet the above requirements. If you are unsure, you should discuss this with your supervisor/manager.

PUBLIC COMMENTS ON COUNCIL BUSINESS

Generally, Councillors comment publicly on Council business due to its often topical, sensitive and controversial nature. Subsequently, 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 firm, you should first refer to the Media Relations Policy and speak to your supervisor/manager. You must also ensure that, to the extent that you collect, handle or give access to personal information, you comply with the privacy principles outlined under the *Information Privacy Act 2009* and the Information Privacy Policy.

You are also required to familiarise yourself with the content of the Social Media Policy, which provides guidance on what is acceptable behaviour when actively participating on social media platforms.



ADVICE AND INFORMATION PROVIDED TO COUNCILLORS

Councillors may, from time to time, ask you for advice for the purpose of assisting them to carry out their responsibilities under the *Local Government Act 2009*. Requests for advice must be consistent with the Acceptable Requests by Councillors for Advice or Information Policy which has been adopted by Council resolution.

You 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.

If you believe that a request for advice by a Councillor is not in accordance with the Acceptable Requests by Councillors for Advice or Information Policy, you must discuss this with your supervisor/manager immediately.

EXTERNAL ACTIVITIES

Council supports and is committed to ensuring all employees 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, real or perceived, and/or unduly restrict your performance of your official duties with Council.

You must not allow your involvement in any external organisation to intrude or influence your duty as a Council employee to give sound advice to Council which is objective, independent, apolitical and impartial.

You are not to take part in political affairs at a local, state or federal level whilst on duty. Council's information technology 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.

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 position 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 Council policy.





BEHAVIOUR TOWARDS EACH OTHER

We value trust and must treat each other with 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.

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).

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;
- Breastfeeding; or
- 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. If you witness discriminatory behaviour you have an obligation to report such actions to your supervisor/manager, or if such action involves your supervisor/manager, another senior officer.

Found cases of unlawful discrimination may lead to disciplinary action being taken against offending employees.

SEXUAL AND OTHER FORMS OF WORKPLACE HARASSMENT

Council is 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 include:

- 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 or deliberate physical contact;
- Indecent assault, rape or other criminal offences; or
- Comments made via a social media platform that may negatively impact or target and employee or elected member.

Refer to the Anti-Discrimination and Harassment Policy for further information.





2

The Second Principle

Promoting the Public Good

The Second Principle

Promoting the Public Good

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;*
- b. *Accept and value their duty to engage the community in developing and effecting official public sector priorities, policies and decisions;*
- c. *Accept and value their duty to manage public resources effectively, efficiently and economically;*
- d. *Value and seek to achieve excellence in service delivery; and*
- e. *Value and seek to achieve enhanced integration of services to better service clients.*

This requires the following standards of behaviour:

CUSTOMER SERVICE AND PERSONAL PRESENTATION

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 position 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, the community or fellow employees seriously and respond to constructive feedback as an opportunity for improvement.

Customers have a right to criticise or complain to, or about 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 supervisor/manager. Council will support any employee who believes they are under threat from a member of the public.

Refer to the Complaints Management Policy and/or the Dealing with Difficult Customers Procedure for further information.

Council's image can be impacted by the presentation of employees. Council requires all employees to appear neat and tidy and maintain an appropriate standard of dress. If you are unsure about what constitutes appropriate dress, please discuss this with your supervisor/manager or refer to the Uniform and Dress Standard Policy and the related procedures.

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 employees are appropriately presented at all times.

FAIRNESS TO SUPPLIERS

Council's contracting activities are regulated pursuant to section 104 of the *Local Government Act 2009* and Chapter 6 of the *Local Government Regulation 2012*. Further, Council has established procedures and delegations of authority for various stages of procurement of goods and services which reflect sound contracting principles.

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

If you have been authorised 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 and conditions of any contract which Council has already entered, unless authorised to do so.

Refer to the Procurement Policy and the Procurement Guideline for further information.

PUBLIC MONEY

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

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

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

INTELLECTUAL PROPERTY AND RECORDKEEPING

Council expects its employees to ensure that their actions do not breach or infringe the Copyright Act 1968, 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 not reproduce or quote suppliers' material unless your licence specifically allows it. Similarly, you must not store or copy audio, video or image files, printed media and software on Council assets without appropriate licence 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 of Conduct, you must first seek clarification from your supervisor/manager.

The *Public Records Act 2002* requires Council to “make and keep full and accurate records of its activities”.

The Act also specifies that Council and its officers must manage records responsibly and specifically states that the unlawful disposal of a record by any person – including a Council employee – is a criminal offence punishable by a fine.

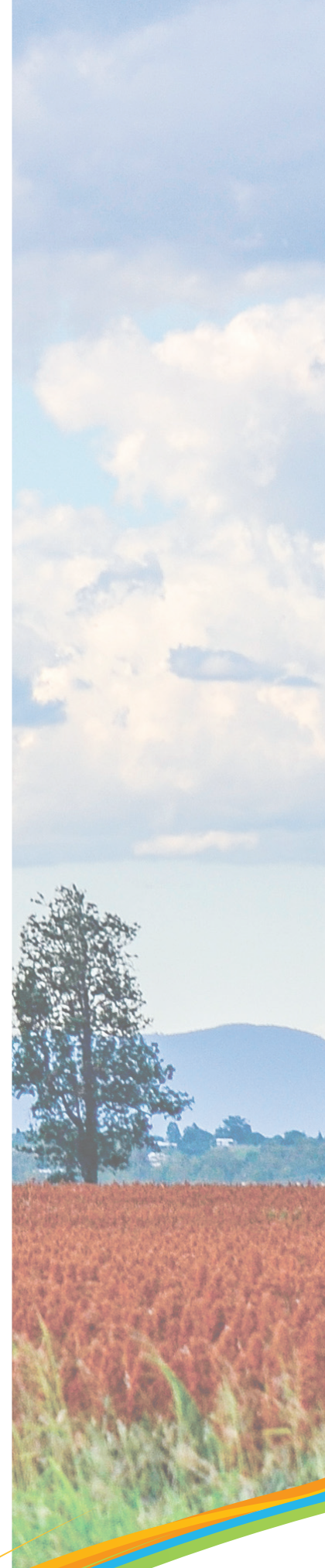
In this way the preservation of public records is enforced so that the obligations under the Act can be met (e.g. public access to records). Obligations under this Act are consistent with the principles of the *Right to Information Act 2009* and the *Information Privacy Act 2009* and require all Council employees to keep proper records to assist performance and accountability, ensuring records are managed as ‘openly as practicable’, and that contents may, in specified circumstances, become known to the public.

CONCERN FOR THE ENVIRONMENT

We all share responsibility for protecting 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 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 the *Environmental Protection Act 1994* for further information.





Make Your Hands
(Tune: London Bridge Is Falling Down)
Make your hands go clap, clap, clap
Clap, clap, clap
Clap, clap, clap
Make your hands go clap, clap, clap
Just like me
Make your head go side to side
Side to side
Side to side
Make your head go side to side
Just like me
Body go wiggle, wiggle, wiggle
Wiggle, wiggle, wiggle
Wiggle, wiggle
Body go wiggle, wiggle, wiggle
Wiggle, wiggle, wiggle
Body go wiggle, wiggle, wiggle
Wiggle, wiggle, wiggle

3

The Third Principle Commitment to the System of Government

The Third Principle

Commitment to the System of Government

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:

- a. *Accept and value their duty to uphold the system of government and the laws of the State, the Commonwealth and Local government;*
- b. *Are committed to effecting official public sector priorities, policies and decisions professionally and impartially; and*
- c. *Accept and value their duty to operate within the framework of Ministerial responsibility to government, the Parliament and the community.*

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.

This requires the following standards of behaviour:

ACTING WITHIN THE LAW

As an employee of Council, you are expected to comply with applicable legislation, awards, certified agreements, Council policies, procedures, guidelines 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 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 the relevant 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 are to immediately report the circumstances to your Group Manager. Such disclosure shall be treated as confidential.



ACTING IN ACCORDANCE WITH DELEGATIONS AND SIGNING DOCUMENTS ON BEHALF OF COUNCIL

If you are requested to undertake an action on behalf of the Chief Executive Officer or delegate, prior to exercising any power on behalf of the Chief Executive Officer you must ensure an appropriate delegation pursuant to state or federal legislation exists that allows you to exercise the power.

Refer to Council's Register of Delegations for further information.

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

- a. The Mayor or Mayor's delegate;
- b. The Chief Executive Officer; or
- c. A Council employee who is authorised, in writing, by the Chief Executive Officer to sign documents.

RAISING CONCERNS

You have the right to comment on or raise concerns with your 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.

FRAUD AND CORRUPTION

Fraud includes unethical and illegal acts which are characterised by the intent to deceive. Corruption is a dishonest activity in which an employee of an entity acts contrary to the interests of the entity.

Lockyer Valley Regional Council has zero tolerance for fraud and corruption and is committed to acting in the best interest of the community and upholding the principles of honesty, integrity and transparency.

Fraud and corruption includes but is not limited to, the following activities and standards of conduct:

- Gaining benefit by dishonesty such as drawing an allowance or payment (e.g. travelling and living expenses) where no such entitlement exists;
- Accepting gifts, money or entertainment in response to, or in the expectation of favourable tender outcome or other decision;
- Knowingly accepting collusive tendering by outside bodies;
- Making false statements about your qualifications, professional experience or competence for the purpose of obtaining a promotion or the like; or
- Misusing or deliberately misallocating Council resources.

It is your responsibility as an employee to prevent fraud and corruption. Such prevention can be enhanced by ensuring that fraud and corruption prevention controls are established and maintained and that all employees are aware of their obligations in relation to Council property. You should be vigilant in detecting fraud and corruption and be aware of your obligations in this regard.

You have an obligation to detect and prevent fraud and corruption, as well as report suspected fraud and corruption. You must report any evidence of fraud and corruption to Council's Fraud Control Officer in accordance with the Fraud and Corruption Control Policy and the Fraud and Corruption Control Plan. You must bring evidence of fraud and corruption to the attention of your supervisor unless it is not appropriate (e.g. fraud or corruption by supervisor). Where required, you must assist in the investigation of fraudulent or corrupt practices which occur in the operations of Council. Where any fraud or corruption is related to the Fraud Control Officer, you must report any such evidence to the Chief Executive Officer. Where evidence of fraud or corruption relates to the Chief Executive Officer, you must report any such evidence to the Mayor.

INFORMATION PRIVACY

Council maintains information about individuals, businesses and commercial issues which is private and sensitive and which could be harmful to a person's interests if released. Council is required to appropriately secure and ensure the confidentiality and privacy of this information. Employees should only access personal information and records they require to perform their official Council duties.

You must ensure that the collection, storage and use of personal information is done so in accordance with the privacy principles outlined in the *Information Privacy Act 2009* and the Information Privacy Policy.

As a general rule, you can maintain privacy by:

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

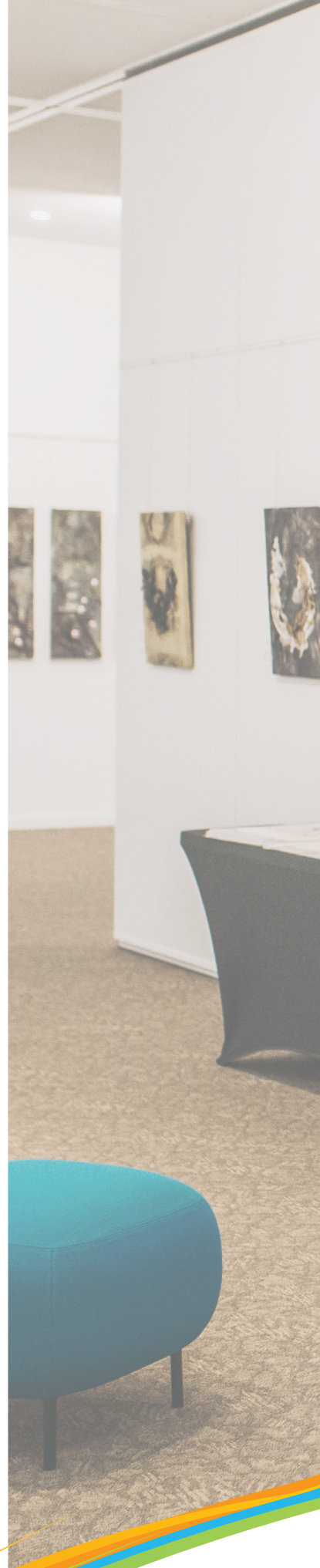
It may be appropriate to share information based on your personal and professional experience (e.g. in seminars or training programs). However, in sharing your experiences, you must ensure that where personal information is involved, you don't breach Council's privacy obligations. You may breach this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

In addition to the *Information Privacy Act 2009*, section 200 of the Local Government Act 2009 makes it an offence for a person who, or has been, a Council employee to release information that the person knows, or should reasonably know, is information that:

- a. Is confidential to Council; and
- b. 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*. If such a request is made of you, you must ensure that you refer such requests to your supervisor/manager or the nominated Right to Information Officer to be properly considered.

Refer to the Right to Information Policy for further information.





4

The Fourth Principle

Accountability and
Transparency

The Fourth Principle Accountability and Transparency

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;*
- b. *Are committed to using public resources in an effective and accountable way;*
- c. *Are committed to managing information as openly as practicable within the legal framework;*
- d. *Value and seek to achieve high standards of public administration;*
- 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 service agencies, public sector entities and public officials.*

This requires the following standards of behaviour:

USING COUNCIL ASSETS

Council 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 and for the purpose of conducting Council business. 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 to do otherwise has been granted by your manager, or a written contract of employment provides otherwise.

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

Unless provided for separately in a written contract of employment, you can use Council telephones on a limited basis for calls that you cannot make conveniently outside working hours.

If you use Council vehicles or a Council issued mobile phone, smart phone or tablet for non-official purposes, you must ensure that your use is in accordance with the relevant Council policy or your written contract or employment.

Council allows limited personal use of electronic mail and World Wide Web 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 or after work or during meal breaks. Refer to the Information, Communication Technology Policy and ICT Standards and Procedures for further information.

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





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 work station/location during work time without reason;
- Giving priority to your official duties over personal activities during work time;
- Ensuring you do not undertake personal work during work time;
- Not wasting excessive time chatting about personal matters and interrupting other employees;
- 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 that Council does business;
- Not allowing your conduct to distract or prevent others from working; and
- Not exposing Council to a judgement for damages against it, as a result of your negligence or breach or 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 of Conduct and ensure that employees within your area of responsibility understand and comply with the Code of Conduct;
- 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 or inadequate for the job;
- Employees who collect, handle or disburse public money are properly supervised;
- Employee work times, overtime, allowances and absences are recorded correctly; and
- Appropriate action is taken if breaches of this Code of Conduct occur.

ATTENDANCE 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 your work and leave periods.

Council's operational efficiency depends on your punctuality and attendance at your work station/location. If you are unavoidably detained please advise your 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 the absence and/or may result in Council taking disciplinary action.

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 the *Local Government Act 2009*.

You should aim to maintain and continually 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 educational assistance program, learning new work duties, participating in project work or undertaking internal or external training.

Refer to the Training and Development Policy for further information.

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 is committed to ensuring that persons are free from:

- Death, injury or illness caused by the workplace, relevant workplace area, work activities, 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 by Council for workplace health and safety at the workplace;
- To use personal protective equipment (PPE) provided by Council for your use if you have been properly instructed to use it;
- Not to wilfully or recklessly interfere with or misuse anything provided for workplace health and safety at your workplace;
- Not to wilfully place at risk the workplace health and safety of any person at the workplace; and
- Not to wilfully injure yourself.





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. 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; and
- 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; and
- Smoke anywhere within Council's premises or worksites, including buildings, vehicles, depot yards and construction sites or within four metres of any Council premises or worksite.

Refer to the Drug and Alcohol Policy and the Smoke Free Workplace Policy for further information.



Additional Information



BREACHES OF THE CODE

Council expects all employees whilst engaged in official duties to ensure they demonstrate the basic standards of acceptable conduct as stated 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, which may include dismissal. All suspected breaches will be dealt with on a case by case basis.

Suspected corrupt conduct must be referred to Council's Chief Executive Officer, and the Chief Executive Officer has a duty to notify the Crime and Corruption Commission of the suspected official misconduct. In cases where the Chief Executive Officer may be suspected of official misconduct, the Mayor has an obligation to notify the Crime and Corruption Commission. Refer to Council's Complaints of Corrupt Conduct by the Chief Executive Officer Policy.

In cases where a suspected breach of this Code is under investigation, and if the Chief Executive Officer deems it appropriate, any employee suspected of a breach of this Code may be suspended from duty on full pay until the investigation has been completed.

EMPLOYEE CONCERNS

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

In accordance with the *Public Interest Disclosure Act 2010*, you have the right to make a public interest disclosure to the proper authority if you believe on reasonable grounds that you possess information about another Council officer's conduct that relates to any of the following:

- Official misconduct;
- Maladministration that adversely affects a person's interest;
- 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;
- A substantial and specific danger to public health or safety; or
- A substantial and specific danger to the environment.

Refer to the Public Interest Disclosure Policy and the Public Interest Disclosure Procedure for further information.

PUBLICATION

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

TRAINING

Education and training about public sector ethics will be offered at induction and as frequently as the Chief Executive Officer determines.

AUTHORITY

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

- Code of Conduct distributed to all employees for comment for a period of two weeks;
- Code of Conduct distributed to the relevant unions for comment for a period of two weeks; and
- Review of comments.

This Code of Conduct was approved by the Chief Executive Officer in accordance with the requirements of the *Public Sector Ethics Act 1994*.

FURTHER ASSISTANCE

If you read the Code of Conduct and are still unsure of how it applies to you, it is important that you discuss this with your supervisor/manager or Group 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 work area.

Alternatively, you may wish to contact either the Manager People and Customer Experience or the Group Manager People, Customer and Corporate Services.





Appendix

Appendix A

DEFINITIONS

BENEFIT- means 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- means 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).

- A real conflict of interest is a conflict between the employee's duties and their private interests. For example, John is on a recruitment and selection panel and his sister is applying for a position to be decided by that panel.
- A perceived conflict of interest arises where a person is likely to believe an employee's private interests could improperly influence them at work. Such a perception is judged as having regard to what a fair and reasonable member of the public could be expected to believe. For example, Sarah 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 funding program Sarah is managing. A reasonable person is likely to believe that Sarah could be improperly influenced by the relationship she has developed with the director at tennis.

COUNCIL – Lockyer Valley Regional Council.

TYPES OF INTEREST - interests can be financial, non-financial, personal, private, family or business.

- A financial interest is when the employee could gain a personal financial benefit including having shares, receiving gifts, benefits or bribes, or receiving hospitality or travel.
- Some examples of non-financial interests are listed below.
 - You work in the strategic procurement area and one of your regular fishing friends asks you to keep an eye on his tender application.
 - You work in the funding application area and you are also president of a local group applying for funding from Council.
 - You work in the development applications area and your children's school will be affected by a new development and the development proposal has been submitted to Council for approval.

GIFT - means an item of value, money, voucher, entertainment, hospitality, travel, commodity, property, that one person gives another. Gifts may be offered as an expression of gratitude with no obligation to repay, or given to create a feeling of obligation.





IMPAIRED BY THE EFFECTS OF ALCOHOL OR DRUGS - means:

- For employees operating/driving heavy vehicles/plant (including ride on mowers) and buses, a blood alcohol content greater than 0.00% (consistent with Queensland Transport Regulations);
- For employees driving light vehicles or operating mechanical tools or equipment, a blood alcohol content greater than 0.05% (consistent with Queensland Transport Regulations); and
- For all employees – a positive drug test result in excess of the cut-off levels specified in Australian Standard AS 4308; and/or physical or medical condition or behaviour which limits the employee's ability to undertake work in a safe and effective manner.

INDICTABLE OFFENCE- means a crime or misdemeanour for which an offender cannot, unless otherwise expressly allowed, be prosecuted or convicted except upon indictment.

INDICTABLE OFFENCE CONVICTION - means a finding of guilt, and the acceptance of a plea of guilty, by a court, whether or not a conviction is recorded, in relation to an indictable offence.

OFFICIAL MISCONDUCT - means wrongdoing by a public sector official (including police) in carrying out their official duties or exercising their powers. It must involve one of the following:

- Dishonesty or lack of impartiality;
- A breach of trust put in a person by virtue of their position; or
- A misuse of officially obtainable information.

It must also be a criminal offence or serious enough to justify dismissal of the person from their position.

PUBLIC OFFICIAL- means an employee of Council.

SUMMARY CONVICTION- means a summary conviction of an indictable offence by a magistrates court.

Appendix B

A GUIDE TO ETHICAL DECISION MAKING

The following guide is designed to help you reach an ethical decision based on the relevant facts and circumstances of a situation.

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 supervisor/manager, or any person who is able to provide 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 vision, mission, goals and values; and
- Backed by advice from Council specialists, if this is appropriate.





FOR MORE INFORMATION CONTACT

ORGANISATIONAL DEVELOPMENT

od@lvrc.qld.gov.au



REGIONAL COUNCIL