

EMPLOYEE CODE OF CONDUCT

2023



Our Values

Accountability:

We are open, transparent and take responsibility for our actions.

Communication:

We consult with the community, actively listen to and respond to the input of residents, and keep people informed

Customer Service Focused:

We meet the needs of our community in an efficient and effective manner.
We strive to continually improve, show empathy and are environmentally aware in our service delivery.

Integrity:

We act with honesty and respect in all we do and respect all residents, colleagues and visitors.

Teamwork and Collaboration:

We recognise and support everyone's contributions.
We are inclusive and contribute respectfully working as a team.
We will care for ourselves and others.

Contents

Message from the CEO.....	1
The Objective.....	2
When Does the Code Apply?.....	2
Legislative Principles.....	3
Ethical Principles, Values and Conduct.....	3
1.0 Integrity and Impartiality.....	3
1A Conflicts of interest.....	4
1B Influences on decision-making.....	4
1C Accepting gifts and benefits.....	5
1D Employment outside council.....	5
1E Public comments on council business.....	6
1F Advice given to elected officials.....	6
1G External activities.....	6
1H Behaviour towards each other.....	7
1I Non-discriminatory workplace.....	7
1J Sexual and other forms of workplace harassment.....	8
2.0 Promoting the Public Good.....	8
2A Customer service.....	8
2B Fairness to suppliers.....	9
2C Public money.....	9
2D Intellectual property.....	9
2E Concern for the Environment.....	9
3.0 Commitment to the System of Government.....	10
3A Acting within the Law.....	10
3B Acting in accordance with delegations and signing documents on behalf of council.....	10
3C Raising concerns.....	11
3D Privacy.....	11
4.0 Accountability and Transparency.....	12
4A Using council assets.....	12
4B Diligence, care and attention.....	12
4C Attendance at and absence from duty.....	13
4D Self-development.....	13
4E Work health and safety.....	14
Breaches of the Code.....	15
Further Assistance.....	15
If You Have a Concern.....	15
Review.....	16
Training.....	16
Appendix A - Definitions.....	17
Appendix B - A Guide to Ethical Decision-Making.....	19
Appendix C - A Guide to Internal Resources.....	20

Message from the CEO

Gympie Regional Council is focused on providing exceptional service to the community. This means, amongst other things, that we are mindful of achieving day-to-day conduct that is of the highest standards in keeping with the expectations held by our community. Our values, as outlined at the front of this document, are the guiding principles that inform our decisions and actions. Aligned with these values, our Employee Code of Conduct outlines how we can all make a positive contribution to the promotion of our values and priorities, and the enhancement of council's reputation.

Our Code enables us to focus on making Gympie Regional Council an inspiring, safe and inclusive place to work. If you have not already done so, I encourage you to familiarise yourself with the Code and make a conscious decision to abide by its ethical principles on a daily basis for the benefit of your fellow employees and our community. Our residents deserve nothing less than for our employees to bring their best selves to work.

I seek to empower you, if you are ever in doubt or think that a fellow colleague or Council is falling short of our values, to please speak up. If you are ever asked to do something that contravenes our Employee Code of Conduct please ensure that you alert your Manager, Director or myself.

I thank you for your support and your contribution in achieving a positive workplace culture that best serves our exceptional community.

Robert Jennings,
Chief Executive Officer



The Objective

Gympie Regional Council acknowledges its responsibility to uphold the community's trust and confidence. A critical component of this responsibility is the behaviour and conduct of its employees as representatives of Gympie Regional Council. Council is committed to maintaining an organisational culture which ensures that integrity is an integral part of all council activities and a core management capability. Council operates in an environment in which ethical conduct is expected, encouraged and supported, with no tolerance for corrupt conduct, fraudulent activities or maladministration.

The Code of Conduct mandates the expectations, ethical principles, obligations and standards guiding the behaviour and actions of all employees. It puts a responsibility on each of us to use sound judgement and the highest standards of behaviour applicable in all circumstances where employees are carrying out duties for Gympie Regional Council, as well as other activities such as work-related functions, training events, travel, conferences, social media interactions and any situation in which they participate as a representative of Gympie Regional Council.

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

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

When Does the Code Apply?

The Code applies to the conduct of employees, consultants, contractors and volunteers carrying out duties for council:

- in the workplace
- during working activities
- at work related functions (on and off premises and outside normal business hours).

Gympie Regional Council expects that all employees and contractors contribute to the promotion of its priorities and values, and the enhancement of its reputation.

The Code may also apply to certain activities or behaviours undertaken by employees outside of the workplace where it may impact upon the image and reputation and activities of council, for example, the use of social media, driving council identified vehicles or wearing council identified clothing in public.

Legislative Principles

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

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

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

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

These legislated principles form the basis of this Code of Conduct. They apply to all employees and guide our thinking, actions and decision-making.

Ethical Principles, Values and Conduct

1.0 Integrity and Impartiality

Public Sector Ethics Act 1994 section 6 states:

In recognition that public office involves a public trust, public service agencies, public sector entities and public officials seek to promote public confidence in the integrity of the public sector and:

- a) *are committed to the highest ethical standards*
- 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*
- e) *are committed to honest, fair and respectful engagement with the community.*

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

1A Conflicts of interest

Council employees are placed in positions of trust and should act in ways which maintain public confidence in council. Employees, regardless of their positions or duties, must act with honesty, integrity, and propriety.

Council recognises that on occasion a conflict between an employee's council responsibilities and their personal interests may arise. Council expects that employees will recognise, declare, and appropriately manage conflicts of interest to promote accountability and public confidence in the integrity of council's activities.

Conflicts of interest may be actual, perceived or potential in nature. Conflicts of interest may include situations involving financial interests, personal relationships, personal benefits or conflicts between duties to council and other organisations, including potential interference resulting from collaboration activities. 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, for example, from avoiding personal losses as well as gaining personal advantage – whether financial or otherwise. This includes advantages to relatives and friends.

An employee has a duty not only to identify and declare a conflict, but to take positive steps to manage the situation in a manner consistent with council's Conflict of Interest Procedure.

Council's Conflict of Interest Procedure provides further information on identifying, declaring and managing conflicts of interest. If you believe you have a conflict of interest, whether real, potential or perceived, you must tell your supervisor/manager promptly. 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 values, discuss it with your supervisor/manager.

1B Influences on decision-making

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

All decisions need to be, and be seen to be, fair and transparent. This can be achieved in a number of ways, including clear record-keeping and showing how decisions were made. You must not in any way misrepresent your qualifications, experience or expertise in any recruitment and selection process.

Under the provisions of the *Integrity Act 2009* persons covered by this Code are to ensure that any contact with lobbyists complies with council's Contact with a Lobbyist Procedure.

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

1C Accepting gifts and benefits

Under the provisions of the *Local Government Act 2009*, employees must not solicit, accept or give gifts and benefits that affect, may be likely to affect or could reasonably be perceived to affect, the independent and impartial performance of their duties.

Council employees are in a position of public trust that may be impacted by the receiving and/or giving of gifts. All duties undertaken while working for council must be carried out impartially and with integrity. Employees must at all times be mindful of their obligation to maintain and enhance public confidence in the integrity of council.

Employees will not:

- Solicit for private purposes any benefit in connection with that person's official function and duties.
- Accept any benefit for any official function or duties performed or not performed which could create a conflict of interest or be seen to create such conflict that may interfere with their objectivity and independence.
- Accept any gift or money or benefit by way of loans and the like for any functions or duties performed or not performed.
- Accept a gift of influence.
- Accept a gift that includes any items that might provide, or be perceived as providing, incentive for an employee to seek the services of a particular company.

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

For example, ask yourself if accepting the gift or benefit could suggest that the giver may or would receive favourable treatment. Refer to council's Conflict of Interest Procedure and Gift or Benefit Declaration.

1D Employment outside council

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

- a) that no conflict of interest exists or develops, between secondary employment and your official duties
- b) you are required to advise council if there is any change in circumstances related to the secondary employment in relation to "a" above
- c) the secondary employment has no effect on the performance of your official duties
- d) the secondary employment does not create a health and safety risk to yourself or others. This includes effects from a safety/fatigue management perspective. You must notify council as soon as you become aware of these matters and take appropriate steps to remedy the situation
- e) the secondary employment does not involve use of council resources (for example, physical or technological)

- f) the secondary employment does not use council intellectual property
- g) the secondary employment does not compete with services provided by council
- h) the secondary employment does not present any risk to council or its reputation
- i) you have demonstrated that appropriate risk management practices are in place for the type of work (such as insurance, registration or licensing requirements)
- j) you are responsible for all your own financial arrangements, including the requirement to comply with any tax obligations
- k) any risk to council or its reputation arising from the secondary employment has been identified and managed to the satisfaction of council
- l) council will not be liable for any matters arising out the relationship between you and the secondary employment
- m) if you are unsure whether you need approval for outside employment you should discuss this with your supervisor/manager.

1E Public comments on council business

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

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

You must also ensure that to the extent you collect, handle or give access to personal information, you comply with the Privacy Principles outlined under the *Information Privacy Act 2009*. Refer to council's Information Privacy Policy.

1F Advice given to elected officials

Communication between Councillors and employees must be in accordance with council's Acceptable Request Guidelines for Councillor Requests for Assistance or Information. Council employees must give elected members (Councillors) advice that is thorough, responsive, objective, independent, apolitical and impartial so that Councillors can make decisions and carry out their community responsibilities.

If you believe there is conflict between a request from an elected official and council policies, you must discuss this with your supervisor/manager.

1G 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, and/or unduly restricts the performance of your official duties with council.

You must not allow your involvement in any external organisation to intrude upon your duty, as a council employee, to give sound advice to council that is objective, independent, apolitical and impartial.

You are not to take part in political affairs while on duty. Council's ICT 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 or groups.

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

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

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

1H Behaviour towards each other

Council values social justice and equal opportunity and seeks to create a safe, supportive and inclusive working environment. Council recognises its obligations to the traditional owners of the land on which council stands. Employees are expected to treat others with trust, respect, honesty, fairness, sensitivity, dignity and with proper regard for their human rights. 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.

You need to accommodate and respect different opinions and perspectives, and manage disagreements by rational debate. You must not behave towards any other person in a way that could be perceived as intimidating, overbearing or bullying.

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 (eg. meetings).

1I Non-discriminatory workplace

Council is committed to creating and maintaining an inclusive workplace culture free from unlawful discrimination. As an employee of council you have shared responsibility to ensure that discrimination is not part of our workplace or our practices. If you witness unacceptable behaviour you have a positive obligation to report such actions to your supervisor/manager.

1J Sexual and other forms of workplace harassment

Council is committed to the prevention of any form of harassment including sexual, racial and religious, victimisation and bullying in the workplace, or at any place where work-related activities are performed, including at social functions. All employees have a shared responsibility to build a workplace culture that recognises differences and which is free from intimidation, bullying and harassment. Employees must not engage in behaviours which may be unwelcome or which may be distressing, offensive, humiliating or intimidating to others regardless of whether this occurs face-to-face, in writing, via social networking sites, or via any other electronic media. Such behaviour may amount to harassment, sexual harassment, sexual assault and/or bullying and may be unlawful under legislation, If you witness unacceptable behaviour you have a positive obligation to report such actions to your supervisor/manager.

2.0 Promoting the Public Good

Public Sector Ethics Act 1994 section 7 states:

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

- a) *accept and value their duty to be responsive to both the requirements of government and to the public interest*
- 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*
- e) *value and seek to achieve enhanced integration of services to better service clients.*

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

2A Customer service

As a council employee it is expected that you will strive to provide excellent customer service. You must treat members of the public equitably and with honesty, fairness and with respect. If your role in council involves regular contact with the public, it is important to know how to deal comfortably and calmly with difficult situations and difficult people. You are expected to treat complaints from customers, ratepayers, and the community or fellow employees seriously and respond to constructive feedback as an opportunity for improvement.

Customers have a right to complain or criticise council. Council expects its employees to show respect towards complainants. While you must make all reasonable efforts to help customers lodge complaints, if you think a situation is threatening or intimidating, you are entitled to withdraw. If in doubt, ask for help from a more experienced colleague, or a supervisor/manager.

Council will support any employee who believes they are under threat from a member of the public.

Council employees are expected to be well groomed and wear council's corporate uniform in a manner which reflects a professional image. If you are unsure about what constitutes appropriate dress please discuss this with your manager or refer to council's Uniform and Personal Appearance Guidelines.

2B Fairness to suppliers

Council has established procedures and delegations of authority for various stages of procurement of goods and services which reflect the content of council's Procurement Policy for Goods, Services and Works (CSPOL140), the *Local Government Act 2009* and the *Local Government Regulation 2012*. You must comply with these procedures and ensure that you do not incur any liability or enter into any contract on behalf of council, or alter the terms or conditions of any contract which council has already entered, unless you are authorised to do so.

2C Public money

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

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

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

2D Intellectual property

You must obtain written approval before arranging to publish or disclose any articles or materials you produced as part of your official duties. Any original work, invention or product to which you contributed in association with your work remains council property.

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, you must make sure you do not breach the confidentiality of council information, its employees or its clients, or compromise council's intellectual property rights.

You must also respect the intellectual property rights of individuals and organisations outside council. For example you must not copy, quote or reproduce their work unless they have given you permission to do so.

You must not infringe copyright law, including the intellectual property, of any individual or organisation. For example, you must not store or copy audio, video or image files, printed media and software without appropriate license or approval on council assets.

2E Concern for the Environment

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

3.0 Commitment to the System of Government

Public Sector Ethics Act 1994 section 8 states:

1. *In recognition that the public sector has a duty to uphold the system of government and the laws of the State, Commonwealth and local government, public service agencies, public sector entities and public officials -*
 - 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*
 - c) *accept and value their duty to operate within the framework of Ministerial responsibility to government, the Parliament and the community.*
2. *Subsection (1) does not limit the responsibility of a public service agency, public sector entity or public official to act independently of government if the independence of the agency, entity or official is required by legislation or government policy, or is a customary feature of the work of the agency, entity or official.*

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

3A Acting within the Law

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

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

If you are convicted by any court of a criminal offence, you are required to immediately report the circumstances to your manager. You are required at all times to be appropriately licenced, qualified or certified to fulfil the requirements of your position. If any of these are revoked for any reason you are required to immediately inform your supervisor. Any such disclosure shall be considered within the context of your ability to properly conduct your duties as an employee of council.

3B 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 council, prior to exercising any power on behalf of the Chief Executive Officer you must ensure there exists an appropriate delegation pursuant to state or federal legislation that allows you to exercise the power. Refer to council's Delegation Register.

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

1. the Mayor
2. a delegate of council
3. a Councillor or council employee who is authorised, in writing, by the Mayor to sign documents
4. a council employee who is authorised in writing by the Chief Executive Officer to sign particular documents.

3C 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 in accordance with the council's Disciplinary Action Procedure.

3D Privacy

Council maintains information about individuals, businesses and commercial issues which is private and sensitive and which could be harmful to a person's interest if released. Employees should only access personal information and records they require to perform their official council duties. Employees must ensure that the collection, storage and use of personal information is done so in accordance with the Privacy Principles outlined pursuant to the *Information Privacy Act 2009*.

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
- ensuring that you comply with council policy in relation to maintaining privacy of personal information.

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

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

- is confidential to council
- 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 the Manager – Governance be properly considered.

4.0 Accountability and Transparency

Public Sector Ethics Act 1994 section 9 states:

In recognition that public trust in public office requires high standard 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*
- f) value and seek to operate within a framework of mutual obligation and shared responsibility between public services agencies, public sector entities and public officials.*

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

4A Using council assets

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

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

You must ensure that you use council assets only for official council business.

Use of council vehicles is to be in accordance with the Conditions of Use that govern the vehicle type.

Use of council's Information and Communication Technology resources is to be in accordance with council's Conditions of Use – council's Information and Communication Technology Resources.

Prior to you leaving council employment, you must return all council property and work-related documents.

4B 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 official duties over personal activities during work time
- ensuring you do not undertake personal work during work time
- helping council achieve its mission and goals by acting to improve systems and practices

- conducting yourself in a way so others gain confidence and trust in the way council does business
- not allowing your conduct to distract or prevent others from working
- not exposing council to a judgment for damages against it, as a result of your negligence or breach of any law or policy.

If you are responsible for managing or supervising others, you must also ensure that:

- you model the values and principles outlined in this Code and ensure that employees within your area of responsibility understand and comply with the Code
- you do not come under a financial obligation to any employee you supervise or manage
- your work and the work of those you supervise contributes 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
- workloads are fairly distributed
- resourcing for a work team is neither excessive nor inadequate for the job
- employees who collect, handle or disburse public money are properly supervised
- employee work times, overtime, allowances and absences are correctly recorded in accordance with council's payroll requirements
- appropriate action is taken if breaches of this Code occur.

4C Attendance at and absence from duty

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

Absence without approval and without reasonable excuse can create concerns for your safety and lead to unproductive time for others. If you are unable to attend work you are required to notify your supervisor prior to your normal commencement time or otherwise as soon as practicable. Failure to promptly notify council may result in the non-payment of salary/wages for the period of absence and/or may result in council taking disciplinary action.

4D Self-development

You should aim to maintain and improve your work performance and that of your work unit in the delivery of customer service. You have a continuing responsibility to maintain and enhance your skills and expertise and keep up to date the knowledge associated with your area of work.

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

4E Work health and safety

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

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.

We must all:

- identify hazards and manage risks to health and safety
- perform all work safely and follow safe work practices
- use personal protective equipment if required
- report any incidents or hazards immediately and support investigations
- take corrective action to 'make safe' the workplace, relevant workplace area or work activities and implement improvements
- participate in rehabilitation and return to work programs if required.

We must keep our workplace drug and alcohol free if we are to maintain the trust and confidence of customers 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 while on duty
- come to work impaired by the effects of alcohol or drugs
- consume alcohol while on duty or in the workplace other than strictly in accordance with council policy
- gamble or bet on council premises (except for authorised sweeps and tipping competitions)
- undermine council's service to customers by leaving your work station/location in order to smoke. Smoking is only permissible during meal breaks
- smoke anywhere within council's buildings, in council vehicles, in any enclosed spaces while on site or within four metres of any part of an entrance to an enclosed place.

For more information refer to council's Workplace Management of Alcohol and Drugs Policy and Fatigue Management Policy.

Breaches of the Code

The Code of Conduct mandates the expectations, ethical principles, obligations and standards guiding the behaviour and actions of all employees, contractors and volunteers. All employees, contractors and volunteers 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 that contravenes this Code may result in council taking disciplinary action and which may include dismissal. All suspected breaches will be dealt with on a case by case basis.

Serious breaches of the Code may also have consequences for employees and other members of council under criminal and civil provisions of the general law. Where the matter involves a reasonable suspicion of corrupt conduct as defined in the *Crime and Corruptions Act 2001* council must refer the matter to the Queensland Crime and Corruption Commission. 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 corrupt conduct.

All disciplinary action taken by council against an employee for found breaches of this Code will be in accordance with council's Disciplinary Action Procedure.

Further Assistance

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

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

If You Have a Concern

The *Public Interest Disclosure Act 2010* and the *Public Sector Ethics Act 1994* provides for the protection of council staff and other public officers and, where applicable, other persons making public interest disclosures about suspected unlawful, negligent or improper conduct at council, or about danger to public health or safety or the environment. Council encourages the reporting of wrongdoing. Council is committed to ensuring that public interest disclosures are appropriately managed to address wrongdoing, and that those who make disclosures are supported and protected from reprisals. Council will receive and manage public interest disclosures in accordance with the *Public Interest Disclosure Act* and applicable standards issued by the Queensland Ombudsman.

It is a breach of this Code and of the *Public Interest Disclosure Act* for an employee to take reprisal action. Reprisal action is not tolerated or condoned by council and disciplinary action may be taken against an employee who engages in a reprisal. Taking reprisal action may also constitute a criminal offence.

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

- corrupt conduct
- maladministration that adversely affects a person's interests
- 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
- a substantial and specific danger to the environment,

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

Council's Public Interest Disclosure Process provides further information.

Should you wish to make such a disclosure please contact:

- internal channels (eg. a supervisor, Public Interest Disclosure Coordinator)
- other external channels (eg. Crime and Corruption Commission, Anti-Discrimination Commission etc).

The Office of the Queensland Ombudsman is the oversight agency for the *Public Interest Disclosure Act*. The Queensland Ombudsman investigates complaints about the actions and decisions of public sector entities. A discloser who is dissatisfied with the outcome of a public interest disclosure investigation by council may choose to approach the Office of the Queensland Ombudsman.

Review

This Code will be reviewed every three years.

Training

Education and training about public sector ethics will be offered at induction and as frequently as the Chief Executive Officer determines. It is mandatory for all employees to complete this training on commencement of duty with council, as well as regular refresher training.

Alternatively you might wish to contact the People and Culture Branch.

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 (eg. 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, Ron 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 having regard to what a fair and reasonable member of the public could be expected to believe. For example, Frida works for council as a community grants funding program manager. On the weekend she plays tennis with the director of a community organisation applying for funding through the funding program Frida is managing. A reasonable person is likely to believe that Frida could be improperly influenced by the relationship she has developed with the director at tennis.

Human rights – refer to the rights stated in part 2, divisions 2 and 3 of the *Human Rights Act 2019*.

Types of interests – 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. For example, Kim’s partner owns a company which is tendering for work with council.

Some examples of non-financial interests are below.

- a) You work in the strategic procurement area and one of your regular fishing friends asks you to keep an eye on his tender application.
- b) You work in the funding application area and you are also president of a local group applying for funding from council.
- c) 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 to 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 undertaking high risk activities such as working on or adjacent to a road
- for operating/driving heavy vehicles and buses, a blood alcohol content greater than 0.00 per cent (consistent with Queensland Transport regulations)
- for employees driving light vehicles or operating mechanical tools or equipment, a blood alcohol content greater than 0.05 per cent (consistent with Queensland Transport regulations)

- 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 mental condition and/or behaviour which limits the employee’s ability to undertake work in a safe and effective manner.

Corrupt conduct – means conduct of a person, regardless of whether the person holds or held an appointment, that:

- a) adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of
 - (i) a unit of public administration
 - (ii) a person holding an appointment and
- b) results, or could result, directly or indirectly, in the performance of functions or the exercise of powers mentioned in paragraph a) in a way that:
 - (i) is not honest or is not impartial
 - (ii) involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly
 - (iii) involves a misuse of information or material acquired in or in connection with the performance of functions or the exercise of powers of a person holding an appointment and
- b) is engaging in for the purpose of providing a benefit to the person or another person or causing a detriment to another person and
- c) would, if proved, be:
 - (i) a criminal offence
 - (ii) a disciplinary breach providing reasonable grounds for terminating the person’s services, if the person is or were the holder of an appointment.

Public Official – means an employee of council.

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 give sound, relevant advice.
- What options and consequences are consistent with council's values, the five local government principles, the four ethics principles fundamental to good public administration and your obligations?
- What are the costs and long-term consequences of each option?
- How would the public view each option?
- What will be the outcome for council, your colleagues, others and you?

Step 5: Choose your course of action.

Make sure your actions are:

- within your power to take, legal and in line with policy and this Code
- fair and able to be justified to your manager and the public
- documented so a statement of reasons can be supplied
- consistent with council's mission, goals and values
- backed by advice from council specialists, if this is appropriate.

Appendix C - A Guide to Internal Resources

The following is designed to help you quickly identify internal resources relevant to this Code. This list is designed in alphabetical order by name.

Name	Document ID
Acceptable Request Guidelines for Councillor Requests for Assistance or Information	2234715
Bullying Prevention and Psychological Safety Policy	1918240
Conflict of Interest Procedure	1624289
Contact with a Lobbyist	1866700
Disciplinary Action for Misconduct and Serious Misconduct Procedure	1528546
Discrimination Prevention and Inclusion Policy	2762506
Entertainment and Hospitality Policy	1866545
Fatigue Management Policy	2229982
Gift or Benefit Declaration	1631694
Information Privacy Policy	1866508
Media Protocol Policy	1549769
Procurement Policy	1866553
Public Interest Disclosure Process	1564398
Sexual Harassment and Sexual Assault Prevention Policy	2076623
Uniform and Personal Appearance Procedure	1528344
Workplace Management of Alcohol and Drugs Policy	1557052

Gympie Regional Council
1300 307 800
2 Caledonian Hill (PO Box 155), Gympie Qld 4570
gympie.qld.gov.au

