



Complaints Relating to Employee Code of Conduct and Behaviour Policy and Procedure

Council Policy

Renmark Paringa Council

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| Responsible Officer | Director of Corporate and Community Services |
| Relevant Legislation | Chapter 7, Part 4, Division 1, s110 with reference to Local Government (General) Regulations 2013 - Schedule 2A |
| Adopted | |
| Reviewed | February 2022 |
| Next Review | February 2025 |

Objective

To provide guidance in the handling of complaints to Council from members of the community regarding the conduct and/or behaviour of a Council employee

Policy

Council employees have a responsibility to serve the best interests of the people within the community their Council represents and to discharge their duties conscientiously and to the best of their ability.

Council employees are expected to act honestly in every aspect of their work and be open and transparent when making decisions or providing advice to their Council.

Council employees are expected to perform their official duties in such a manner as to ensure that public confidence and trust in the integrity and impartiality of their Council is strong.

Council employees are expected to respect the law, and the resolutions made by the elected member body of the Council.



Council employees must comply with all relevant statutory requirements within the *Local Government Act 1999*, *Fair Work Act 1994*, the *Work Health and Safety Act 2012* and other relevant Acts.

Council employees should also make themselves aware of the Code of Conduct for Council Employees, ICAC Directions and Guidelines and Council policies, procedures and processes relevant to their role.

A failure to comply with these statutes and/or standards can constitute a ground for disciplinary action against the employee.

Procedure

Complaints regarding Code of Conduct for Council Employees

Where a person alleges —

- an employee (or a relative of an employee) has sought or received a gift or benefit that is, or could reasonably be taken to be, intended or likely to create a sense of obligation on the part of the employee to a person or to influence the employee in the performance or discharge of the employees functions or duties; or
- an employee has failed to record, or correctly record, details of a gift or benefit received by the employee (or a relative of an employee) on the gift and benefits register; or
- the CEO has not appropriately maintained a register for gifts and benefits received by employees of the council,

they may submit a complaint alleging that an employee of council has contravened or failed to comply with the Code of Conduct for Council Employees, as prescribed in Schedule 2A of the *Local Government (General) Regulations 2013*.

A complaint must be given to the Chief Executive Officer. In the case of a complaint against the Chief Executive Officer, a complaint must be given to the principal member of the council, except in circumstance where it would be inappropriate to do so (such as where legislation requires the matter to which the complaint relates to remain confidential).

A complaint will be investigated and resolved according to the disciplinary procedures of the council.

Complaints regarding Employee Behaviour

Where a person alleges an employee's behaviour has contravened or failed to comply with the expected standards of a council employee, a complaint must be submitted to the Chief Executive Officer. In the case of a complaint against the Chief Executive Officer, a complaint must be given to the principal member of the council, except in circumstance where it would be inappropriate to do so (such as where legislation requires the matter to which the complaint relates to remain confidential).

In circumstances where it is inappropriate to give the complaint to the principal member of the council, it is recommended that the complaint is directed to the Responsible Officer as per Council's Public Interest Disclosure Policy and Procedure.



Complaints regarding employee behaviour will be investigated and resolved according to the disciplinary procedures of the council.

Notes

- (1) This policy is not intended to limit an individual's ability to access the provisions of the Internal Review of Council Decisions Policy and/or Public Interest Disclosure Policy and Procedure.

Related Documents

- Employee Code of Conduct (internal policy)
- ICAC Directions and Guidelines
- Internal Review of Council Decisions Policy
- Public Interest Disclosure Policy and Procedure
- Correspondence Community Members Policy
- Council Policies, Procedures and/or Processes

Review of Policy

This policy will be reviewed every three years or at any other such time as agreed by Council.