



Responsible Officer Chief Executive Officer	Adopted 2 April 2018
Legislative Framework/Other References Local Government Act 1999 Independent Commissioner Against Corruption Act 2012 Local Government (General) (Employee Code of Conduct) Variation Regulations 2018 Work Health and Safety Act 2012	Reviewed December 2021 Next Review* November 2023

PURPOSE

The Code of Conduct for Council Employees is outlined in Schedule 2A of the Local Government (General) Regulations 2013 and amended by the Local Government (General) (Employee Code of Conduct) Variation Regulations 2018. The purpose of this policy is to clearly outline the behavioural standards expected of all employees during the performance of their duties at Renmark Paringa Council.

SCOPE

Council employees must comply with the provisions of this Code in carrying out their functions as public officials.

It is the personal responsibility of Council employees to ensure that they are familiar with, and comply with, the standards in the Code, at all times. Other persons working on behalf of Council, including Staff Trainees, Apprentices and Work Experience are also expected to comply with the provision of this Code.

POLICY

CORPORATE VALUES

Accountable

We take responsibility for our actions and behaviours and have confidence in each other to deliver.

Honest

We are fair and truthful in our approach to each other and the community.

Respectful

We respect the rules, regulations, the environment, and each other.



Unified

We are one team and work together towards our common goals.

PRICIPLES AND OVERARCHING STATEMENT

Council employees in South Australia have a commitment 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 will act honestly in every aspect of their work and be open and transparent when making decisions or providing advice to their Council.

Council employees will 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 will respect the law, and the resolutions made by the elected member body of the Council.

The Council's Chief Executive Officer will make reasonable endeavours to ensure that employees have current knowledge of both statutory requirements and best practices relevant to their position.

Council employees will make reasonable endeavours to ensure that they have such current knowledge of both statutory requirements and best practices relevant to their position as is drawn to their attention by Council.

CONDUCT REQUIRED OF COUNCIL EMPLOYEES

In line with the Principles and Overarching Statement above, the following behaviour is considered essential to upholding the principles of good governance in Councils.

A failure to comply with any of these behaviours can constitute a ground for disciplinary action against the employee, including dismissal, under Section 110(5) of the Local Government Act 1999.

Council employees must also comply with all relevant statutory requirements within the Local Government Act 1999, the Work Health and Safety Act 2012 and other Acts. A failure to comply with these statutes, as identified within this Part, can also constitute a ground for disciplinary action against the employee, including dismissal, under Section 110(5) of the Local Government Act 1999.

Council employees will:

General behaviour

- 5.1. Act honestly in the performance of official duties at all times, as required by s109(1) of the Local Government Act 1999.



- 5.2. Act with reasonable care and diligence in the performance of official duties, as required by s109(2) of the Local Government Act 1999.
- 5.3. Discharge duties in a professional manner.
- 5.4. Act in a way that generates community trust and confidence in the Council.
- 5.5. Act in a reasonable, just, respectful, and non-discriminatory way when dealing with all people.
- 5.6. Ensure that personal interests, including financial interests, do not influence or interfere with the performance of their role.

Responsibilities as an employee of Council

- 6.1. Comply with all relevant Council policies, codes, and resolutions of which they have been made aware, relevant to their particular role.
- 6.2. Deal with information received in their capacity as a Council employee in a responsible manner.
- 6.3. Endeavour to provide accurate information to the Council and to the public at all times.
- 6.4. Take all reasonable steps to ensure that the information upon which employees make decisions or actions are based is factually correct and that all relevant information has been obtained and is considered.
- 6.5. Not release or divulge information that the Council or Chief Executive Officer of the Council has ordered be kept confidential, or that the Council employee should reasonably know is information that is confidential, including information that is considered by the Council or the Chief Executive Officer in confidence, subject to the Ombudsman Act 1972 and the Independent Commissioner Against Corruption Act 2012.
- 6.6. Not make improper use of information, including confidential information, acquired by virtue of their position.
- 6.7. Ensure that relationships with external parties do not amount to interference by improper influence, affecting judgement, decisions and/or actions.
- 6.8. Comply with all lawful and reasonable directions given by a person with authority to give such directions.



- 6.9 Only make public comment in relation to their duties when specifically authorised to do so and restrict such comment to factual information and professional advice.

Relationships within Council

- 6.10 Not make any public criticism of a personal nature of fellow Council employees or Elected Members.
- 6.11 Take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons, as required by the Work Health and Safety Act 2012.
- 6.12 Direct any allegations of breaches of the Code of Conduct for both the Council employees and elected members to the Chief Executive or the Director Corporate and Community Services.

Gifts and Benefits

- 6.13 Council employees must not:
- 6.13.1. Seek gifts or benefits of any kind.
 - 6.13.2. Accept any gift or benefit that may reasonably create a sense of obligation on their part or may be reasonably perceived to be intended to or would reasonably be likely to influence them in carrying out their public duty.
 - 6.13.3. Accept any gift or benefit from any person who is in, or who seeks to be in, any contractual relationship with the Council.
- 6.14 Notwithstanding Code 6.13.3, Council employees may accept hospitality provided in the context of performing their duties, including:
- 6.14.1 Free or subsidised meals, beverages or refreshments of reasonable value provided in conjunction with:
 - 6.14.1.1 Council work related events such as training, education sessions, workshops, and conferences; and
 - 6.14.1.2 Council functions or events; and
 - 6.14.1.3 Social functions organised by groups such as Council committees and community organisations.
 - 6.14.2 Invitations to and attendance at local social, cultural, or sporting events.
- 6.15 Where any Council employee receives a gift or benefit of more than a value published in the Government Gazette by the Minister from time to time, details



of each gift or benefit must be recorded within a gifts and benefits register maintained and updated quarterly by the Council's Chief Executive Officer. This register must be made available for inspection at the Renmark Paringa Council Civic Centre and on the Council website.

Use of Council Resources

- 6.16 Council employees using Council resources must do so effectively and prudently when undertaking Council work.
- 6.17 Council employees must not use Council resources, including the services of Council staff, for private purposes, unless legally or properly authorised to do so, and payments are made where appropriate.
- 6.18 Council employees must not use public funds or resources in a manner that is irregular or unauthorised.

Register of Interests

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

Chief Executive Officers

- 6.20 Chief Executive Officers must act in accordance with the provisions specific to their position within the Local Government Act 1999 at all times.

Complaints

- 6.21 Any person may make a complaint about a Council employee under this Code.
- 6.22 Complaints about an employee's behaviour that is alleged to have breached this Code should be brought to the attention of the Chief Executive Officer of the Council, or a delegated person.
- 6.23 Complaints about a Chief Executive Officer's behaviour that is alleged to have breached the Code should be brought to the attention of the Renmark Paringa Council Mayor.
- 6.24 A complaint may be investigated and resolved according to the disciplinary processes of that Council.
- 6.25 In considering the lodgement of a complaint against a Council employee for a breach of the Code, Public Officers should be mindful of the obligations



outlined in the Independent Commissioner Against Corruption—Directions and Guidelines.

- 6.26 Nothing in this code in any way derogates from the rights of an employee or duties of an employer under the Fair Work Act 1994, other legislation, an award, an industrial agreement, or contract of employment.

Contact with Media

- 6.27 To ensure Renmark Paringa Council presents a consistent and positive image in its dealing with the media the authority to speak with the media rests solely with the Mayor and Chief Executive Officer, unless otherwise delegated. This authority can be delegated only by the Chief Executive Officer. All media enquiries shall be referred to the Chief Executive Officer without any opinion being expressed whatsoever.

Appropriate Use of Social Media

- 6.28 Personal use of social media is not permitted during paid working hours, however, it is noted that some roles require the use of social media for work purposes, which is permitted during paid working hours.
- 6.29 When using social media, Employees must:
- Adhere to the Council's Code of Conduct and all other applicable policies and procedures (including this Policy);
 - Behave with caution, courtesy, honesty and respect;
 - Act in accordance with our values; and
 - Comply with relevant laws and regulations.
- 6.30 Employees using social media privately and/or out-of-hours shall not publish content that:
- Disparages, misrepresents or defames Council (including the organisation, staff or elected members),
 - Is contrary to an established position of the Council or Council's Executive Leadership Team,
 - Has the potential to damage Council's relationships or partnerships with individuals, the community, businesses, clubs/organisations, other Councils, the media, the Local Government Association, funding partners, members of parliament, the State Government or the Federal Government;
 - Contains confidential information about the Council, its stakeholders or third parties;
 - Contains copyright or trademark protected materials;
 - Contains illegal material or materials designed to encourage law breaking;
 - Contains materials that could compromise the safety of others;
 - Contains material which could bring the Council into disrepute;



- Contains personal details or references (whether express or implied) to Employees or third parties which may breach privacy laws; and
 - Contains materials, statements or conduct which may be considered to be bullying or harassment.
- 6.31 If you have any doubt about the application of the provisions of this Policy, you must check with your Director and/or Chief Executive Officer before using social media.
- 6.32 Employees may use social media privately and/or out-of-hours to positively support Council or the established positions of Council. However, Council employees are discouraged from defending Council against the negative content/comments of others and shall only do so if they are clearly identifying their comments as their own personal opinions.

Equal Opportunity, Discrimination, Harassment and Bullying

- 6.33 All employees have the right to work in a safe working environment, including one that is free from any form of discrimination, harassment, or workplace bullying. Staff must not harass, discriminate against, bully or support others who display these behaviours. Staff must contribute to building a workplace that tolerates differences and that is free from intimidation, bullying and harassment.

Corporate Image

- 6.34 How we are professionally presented including what we wear, and our tidiness is determined by what our external customers expect of a professional organisation. Staff must adopt a reasonable business-like presentation commensurate to their duties and the people with whom they meet. Safety clothing and personal protective equipment such as safety jackets, safety footwear, eye protection and hard hats must be worn as stipulated in the relevant policy.

Employment Outside Council

- 6.35 An employee who is considering outside employment or contract work that might conflict with their Council duties must notify and seek written approval from the Chief Executive Officer. Staff must ensure that the employment does not conflict or interfere with their official duties, discredit, or disadvantage the Council, or involve the use of confidential information or Council resources.

Customer Service (Internal & External)

- 6.36 The community expects local government to provide responsive, effective, and efficient services. Staff should actively seek innovative solutions that can



be implemented to meet Council and community needs. This includes being able to respond quickly and effectively and working cooperatively across the organisation and community to achieve Council's objectives. All staff must be customer focused and strive to provide excellent customer service. Staff must behave in a professional manner and treat members of the public and each other with honesty, fairness, sensitivity, and dignity. Employees who lead and manage other employees have a special responsibility to model this behaviour, and to lead and mentor their teams to ensure they understand the acceptable standard of performance and behaviour.

APPENDIX—CRIMINAL MATTERS

The matters within this appendix are matters for which a criminal penalty attach. As separate legislation operates to cover such conduct, this part does not form part of the Code of Conduct for Council Employees.

Allegations of conduct breaching these matters will be investigated in accordance with the legislation governing that conduct and they are included within this document only in order to provide a complete overview of the standards of conduct and behaviour expected of Council employees.

Alleged breaches of matters outlined in this appendix should be reported to the Office for Public Integrity in the first instance.

Breaches of the Local Government Act 1999

Provision of false information

A Council employee who submits a return under Chapter 7 Part 4 Division 2 (Register of Interests) and that is to the knowledge of the employee false or misleading in a material particular (whether by reason of information included in or omitted from the return) is guilty of an offence (Section 117).

Restrictions on disclosure

A Council employee must not disclose to any other person any information furnished pursuant to Chapter 7 Part 4 Division 2 (Register of Interests) unless the disclosure is necessary for the purposes of the preparation or use of the Register by the Chief Executive Officer or is made at a meeting of the Council, a Council committee or a subsidiary of the Council (Section 119(1)).

Conflict of Interest

The Chief Executive Officer of a Council who has an interest in a matter in relation to which he or she is required or authorised to act in the course of official duties must disclose the interest to the Council and must not, unless the Council otherwise determines during a Council meeting that is open to the public, act in relation to the



matter (Section 120(1)). An employee of the Council (other than the Chief Executive Officer) who has an interest in a matter in relation to which he or she is required or authorised to act in the course of official duties must disclose the interest to the Chief Executive Officer and must not, unless the Chief Executive Officer otherwise determines, act in relation to the matter (Section 120(2)). If an employee is entitled to act in relation to a matter and the employee is providing advice or making recommendations to the Council or a Council committee on the matter, the employee must also disclose the relevant interest to the Council or Council committee (Section 120(4)).

Breaches of other Acts

Acting in his or her capacity as a public officer, a Council employee shall not engage in conduct, whether within, or outside the state, that constitutes corruption in public administration as defined by Section 5 of the Independent Commissioner Against Corruption Act 2012, including:

An offence against Part 7 Division 4 (Offences relating to public officers) of the Criminal Law Consolidation Act 1935, which includes the following offences:

- bribery or corruption of public officers.
- threats or reprisals against public officers;
- abuse of public office;
- demanding or requiring benefit on basis of public office;
- offences relating to appointment to public office.

Any other offence, including an offence against Part 5 (Offences of dishonesty) of the Criminal Law Consolidation Act 1935, committed by a public officer while acting in his or her capacity as a public officer, or by a former public officer and related to his or her former capacity as a public officer, or by a person before becoming a public officer and related to his or her capacity as a public officer, or to an attempt to commit such an offence.

Any of the following in relation to an offence referred to in a preceding paragraph:

- aiding, abetting, counselling, or procuring the commission of the offence;
- inducing, whether by threats or promises or otherwise, the commission of the offence;
- being in any way, directly or indirectly, knowingly concerned in, or party to, the commission of the offence;
- conspiring with others to affect the commission of the offence.



Employees' Rights

Employees are entitled to representation in the consideration of alleged noncompliance with this policy. The principles of fairness, equity and natural justice will apply to any investigation undertaken and management of the matter. Investigations undertaken regarding compliance with this policy will be kept confidential.

Reporting - If You Have a Concern

All staff have a role in ensuring that their fellow staff are held accountable for inappropriate conduct by informing their Manager or Director if they become aware of any such conduct. In addition, in accordance with the Independent Commissioner Against Corruption Act 2012, staff are required to report serious or systemic corruption, misconduct or maladministration that has come to their attention.

Any questions of compliance raised by Council employees and/or elected members or the community regarding this policy will be considered by the relevant Director Corporate and Community Services or the Chief Executive Officer.

If you have any difficulties or questions regarding this Staff Code of Conduct Policy, you should discuss them with your Team Leader/Manager or with the Manager People and Culture.



I have read and been informed about the content, requirements, and expectations of the [Code of Conduct](#) for employees at Renmark Paringa Council. I have received a copy of the Code of Conduct and agree to abide by the Code of Conduct guidelines as a condition of my employment and my continuing employment at Renmark Paringa Council.

I understand that if I have questions, at any time, regarding the Code of Conduct, I will consult with my Team Leader/Manager or Manager of People and Culture.

Please read the Code of Conduct carefully to ensure that you understand before signing this document.

Employee Signature: _____

Employee Printed Name: _____

Date: _____

Receipt – Chief Executive Officer _____

Date: _____