



Code of Conduct

Contents

1. Purpose of the Policy	2
2. Scope	2
3. Definitions.....	2
4. Responsible Executive.....	2
5. Policy owner.....	2
6. Related Documents	3
7. Delegation Authority	3
8. Policy Statement.....	3
9. Policy Details	3
10. Decision Guidelines	6
11. Transition/Translation arrangements.....	7
12. Review	7

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RESPONSIBLE EXECUTIVE	General Manager Corporate Services
POLICY OWNER	Manager People and Culture

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1. Purpose of the Policy

The purpose of this Code of Conduct is to clearly state the standards of responsibility and behaviours expected by those representing or working on behalf of the City of Kingston. Maintaining professional and ethical conduct at all times is the responsibility of every employee (permanent, temporary, part-time and casual employees) as well as volunteers, contractors working on-site, work experience students and graduate placements – *every person, every day*.

The Code of Conduct is designed to assist employees to understand how to undertake their duties and behave according to the values held at City of Kingston, reducing the risk of real or perceived conflicts between private and public interests, personal gain or unacceptable and/or unlawful behaviours.

The Code cannot describe every requirement of workers or present all the details of the policies that affect their conduct. Instead, it has been written to make workers aware of the range of ethical issues and legislation that affects their behaviour at work and to point to where they can find out more detailed information about procedures or policy. It is also up to workers to seek information when they need a fuller account of standards or procedures or if they are unclear on any area of conduct.

The Code is shaped by the Council's statutory obligations, its principles of good governance and its corporate values. It is hoped that this Code will provide workers the principles and information which will allow them to make good judgements in difficult circumstances, as well as follow procedures and comply with legislation.

2. Scope

This policy applies to all members of City of Kingston workforce including (permanent, temporary, part-time and casual employees) as well as volunteers, contractors working on-site, work experience students and graduate placements.

The policy takes effect from 1 July 2015.

3. Definitions

Worker means all employee (permanent, temporary, part-time and casual employees) as well as volunteers, contractors working on-site, work experience students and graduate placements.

Official duties mean exercising the functions of an employee's position.

4. Responsible Executive

Chief Executive Officer

5. Policy owner

Manager People and Culture

6. Related Documents

<p>Kingston Policies</p> <ul style="list-style-type: none">• Kingston Enterprise Agreement• Outside Employment Policy• Procurement Policy and Procedures• Workplace Bullying Harassment and Violence Policy• Disciplinary Policy• Equal Employment Opportunity and Discrimination Policy• Employee Gift and Hospitality Policy• Resolving Workplace Grievances Policy• Information Privacy Policy• Councillor Code of Conduct• Instrument of Sub-Delegation by CEO• Information Services Email, SMS and Internet Policy• Information Services Records and Information Management Policy• Social Media Policy• Fraud and Corruption Policy• Media and External Communications Policy	<ul style="list-style-type: none">• Police Check and Working with Children Check Policy• Kingston OHS Policy• Information Services Security Policy• Vehicle Policy• Asset disposal policy <p>Legislation</p> <ul style="list-style-type: none">• Fair Work Act 2009 (CW)• Disability Discrimination Act 1992 (CW)• Local Government Act 1989 (Vic)• Whistleblowers Protection Act 2001 (Vic)• Trade Practices Act 1974 (Vic)• Equal Opportunity Act 2010 (Vic)• Occupational Health and Safety Act 2004 (Vic)• Charter of Human Rights and Responsibilities Act 2006 (Vic)• Crimes Act 1958 (Vic)• Privacy and Data Protection Act 2014 (Vic)• Health Records Act 2001 (Vic)
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7. Delegation Authority

Chief Executive Officer

8. Policy Statement

The Code of Conduct clarifies the standards of behaviour that are expected of workers at the City of Kingston in the performance of their duties. The Code provides guidance in areas where workers need to make personal and ethical decisions.

9. Policy Details

The following section outlines the standards of behaviour expected by all employees in the performance of duties:

9.1 Personal Conduct

As an employee of City of Kingston, you should always behave in a professional manner that will foster the trust, confidence and goodwill in both your colleagues and in the community.

Acting with good judgement requires knowledge of the regulations and legislation that affects the Council's activities. It also means that workers must perform their duties in a principled way and with a sense of responsibility for the results of their actions.

Workers must comply with the provisions of the Local Government Act 1989.

This can be achieved by following City of Kingston's Code of Conduct Behavioural Guidelines that aims to foster an environment that values employees, respects diversity and guides us in the way in which we should behave in the workplace and at work related functions.

Employees need to act in a professional manner in accordance with Council's policies, procedures and legislation pertaining to your role and hold yourself accountable for all your actions.

City of Kingston workers will as a minimum:

- Act properly within the requirements of the law and the terms of this Code;
- Perform their duties to the best of their ability and in good faith for the benefit of the community;
- Be frank and honest in their official dealings with each other;
- Make no untrue or improper allegations or statements;
- Not engage in any conduct that brings the Council into disrepute;
- Act impartially and without favouritism;
- Be tolerant of other views, beliefs and ideas;
- Always act in the best interests of the Council;
- Not unlawfully discriminate in their service delivery against any person, party, entity or group; and
- Refrain from using bad language or abusing staff or others in the course of their duties.

9.2 Use of information and information systems

As a worker of City of Kingston, you are responsible for your conduct. City of Kingston's information and information systems must not be used at any time to offend, discriminate against or harass work colleagues or the public. This includes but is not limited to accessing, viewing, sending, storing, transmitting, creating or downloading material that is inappropriate or offensive or is in contravention of legislation and policies.

If you receive inappropriate material through City of Kingston's information systems, you should immediately delete it and notify the sender to stop sending you material of this nature. Accidental connection to an inappropriate website on the internet should also be disconnected immediately.

Your login details to Council systems are not to be provided to other employees. Sharing login details and passwords contravenes Council's policies and procedures which include Information Services Email, SMS and Internet Policy.

9.3 Conflict of Interest

A conflict of interest involves a conflict between your official duties and your personal interests. The conflict may arise from a range of factors including personal relationships, your employment outside of Council, membership of special interest groups or your ownership of shares, companies and/or property.

There is a reasonable public expectation that where such conflict occurs it will be resolved in favour of the public interest rather than the individuals. A declaration of private interests is required of Senior Officers (as defined under the Local Government Act 1989) and other identified workers.

Conflicts of interest can be potential, actual or perceived. Always exercise caution in your personal relationships with community members, contractors and the general public to ensure they do not involve obligations that conflict with your duties to City of Kingston.

All employees are responsible for identifying personal circumstances that may give rise to potential, actual or perceived Conflicts of Interests.

9.3.1 Gifts and Hospitality

The primary position regarding gifts at the City of Kingston is that workers do not accept gifts.

Hospitality is provision of travel, accommodation, entertainment, food or beverages. In the event that a gift or hospitality is offered and/or accepted an employee is required to advise their Supervisor/Manager and make a record of this in the Gifts and Hospitality register.

Refer to the Employee Gift and Hospitality policy for further information.

9.3.2 Patronage or Favouritism

Workers must not use their position to influence other Council Officers in the performance of their public or professional duties to obtain a private benefit or a benefit for someone else. Family or other personal relationships must not improperly influence decisions.

9.4 Prevention of fraud

The City of Kingston can at any time be subject to fraud and corruption. Fraud and corruption involves dishonest actions, or dishonest failures to act, that cause actual or potential financial loss, or an unjust advantage.

Workers must not be involved in an act or acts of bribery by providing or promising to provide a benefit.

Refer to the Fraud and Corruption policy for further information.

9.5 Financial probity and accountability

Employees should ensure that in all financial matters, including the handling of public monies, there is full accountability in relation to any advice or transaction in which they may be involved.

9.6 Confidentiality, access and disclosure

You may have access to confidential information regarding community stakeholders, your colleagues and Council business affairs. Your access and use of this

confidential information is limited to your official duties. Access, use of, or disclosure for any other purposes is prohibited without authorisation from your Supervisor/Manager.

9.7 Use and release of information

Employees, other than those specifically authorised, are not permitted to give interviews to the news media or to make public statements on any aspect of City of Kingston or its operations.

If releasing information under the Victorian Freedom of Information Act 1982, an employee is protected against legal action under Section 62 and 63 of that Act.

Employees may only disclose other official information or documents acquired in the course of their public employment when required to do so by law, in the course of duty, when called to give evidence in court, or when proper authority has been given. In such cases comments should be confined to factual information and should not express opinion on official policy or practice.

Refer to the Media and External Communications' policy for further information.

9.8 Use of Council Facilities, Funds, Staff, Equipment/Materials and Intellectual Property

Workers will ensure that Council resources are used effectively and efficiently and will not be used for private purposes, unless authorised to do so.

In urgent circumstances, where a worker uses Council resources for private benefit for self or someone else without prior authorisation, provided they can demonstrate they made reasonable efforts to seek and obtain authorisation, retrospective approval can be considered. The matter must be raised with the workers' Supervisor/Manager as soon as possible after the event. Failure to do so will be considered a breach of the Code.

City of Kingston workers' must not use Council equipment and resources for private gain.

Past or Present Employees

No employee past or present will make unauthorised use of Council's information or intellectual property. Work produced in the course of employment with Council remains the property of Council.

Treatment of Council Property, Materials, Equipment and Facilities

City of Kingston workers' must seek to avoid damaging property, materials and equipment and report damage or the need for servicing when it becomes apparent.

9.9 Breaches of the Code of Conduct

The City of Kingston recognises the value of transparency and accountability to our community. Fraudulent or corrupt behaviour which violates legislation as well as the Code of Conduct should be dealt with according to the Fraud and Corruption Policy. Other breaches of the Code will be dealt with according to the guidelines of the Disciplinary Policy or, in the case of contractors and contracted providers or representatives, under the terms and conditions set out in their contract.

10. Decision Guidelines

There are no general exemptions that apply to this policy. If a case by case exemption is required because of extraordinary circumstances, it will be only granted by the General

Manager Corporate Services in response to a written proposal and recommendation by the Relevant Manager.

11. Transition/Translation arrangements

Nil

12. Review

30 June 2018