



Staff Code of Conduct

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1. Message from the Chief Executive Officer

The East Gippsland Shire Council is a vibrant and dynamic place to work.

We deliver vital services to our community and the way each of us behaves at work determines how effective the organisation is and how well we will deliver our services to the community. This is a shared responsibility, as is our responsibility to make the East Gippsland Shire Council both a high performing organisation and a great place to work.

We know that how we go about our work, treat each other, and relate to the people of this Shire underpins our ability to achieve this. Thanks to the input of staff throughout the organisation we are proud of our shared staff values and workplace behaviours.

Each of us is responsible for ensuring our behaviour is consistent with these staff values. We must also continue to share ideas about the activities and behaviours we want our team to embrace.

2. Purpose

This Code of Conduct promotes and reinforces the values and behaviours we live to deliver great outcomes for our community and to establish an environment in which staff can contribute at the highest possible ethical and professional standard.

The Code will:

- Underpin the decision-making and activities within Council
- Result in effective compliance with relevant laws and policies
- Enhance the integrity and reputation of Council.
- Help to define accountability and levels of responsibility.
- Help the organisation to achieve best practice in corporate governance.

3. Scope

The Code of Conduct applies to all Council employees and representatives including:

- Full-time, part-time and casual employees
- Permanent and temporary employees, including work experience or graduates performing work for Council
- Temporary and casual individuals engaged through an agency
- Staff on exchange/secondment
- Councillors and Volunteers have their own separate Codes of Conduct.

4. Context

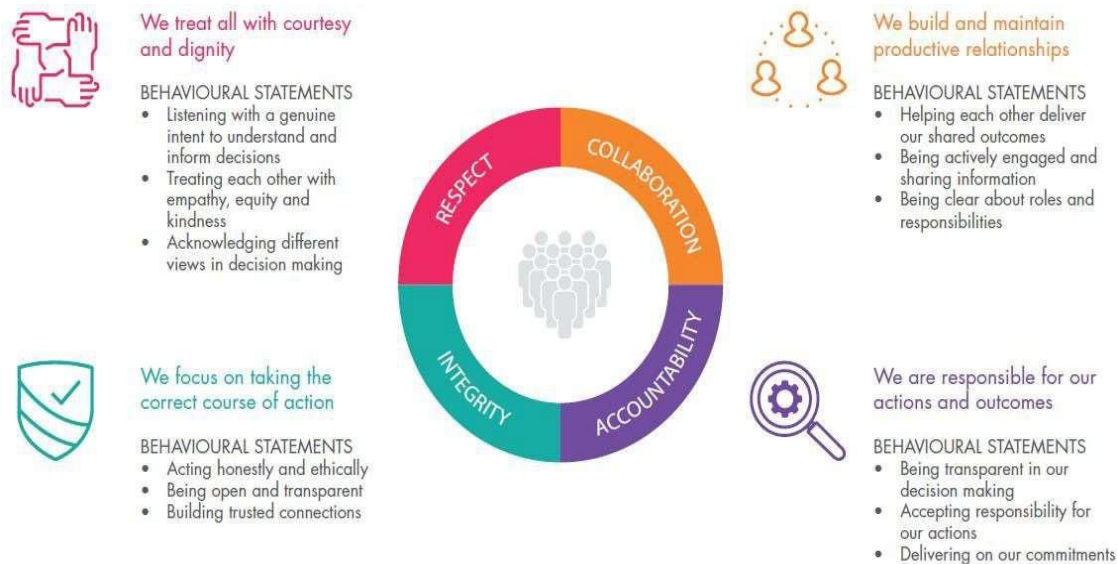
The *Local Government Act 2020* clause 49 requires the Chief Executive Officer to develop and implement a code of conduct for members of Council staff.

5. Statement

East Gippsland Shire Council staff will Act in line with our values of Respect, Integrity, Collaboration and Accountability.

5.1 Our Values and Expected Behaviours

All Council staff are expected to act in line with our Values and expected Behaviours:



5.2 Corporate Obligations

Breach of this Code

Any breach of the Code (or any Council procedure or policy) may result in action (authorised to be undertaken by the Chief Executive Officer (CEO) in accordance with Council's disciplinary process procedure and any relevant industrial instrument. A breach may result in disciplinary action, including dismissal in serious cases. In the case of contracted service providers or representatives, a breach of the Code may contravene the terms and conditions set out in their contract resulting in termination of their agreement with Council.

Confidential information

While employed at Council staff may see or have access to confidential information. Any unauthorised use or disclosure of information or data relating to the conduct of Council may adversely affect Council’s reputation and legal obligations. For example:

- closed sessions of Council meetings;
- proposed property or other developments;
- proposed planning scheme amendments;
- proposed acquisition or sale of land by Council;
- contractual matters;
- legal matters;
- personnel matters; and
- private customer information.

Staff must not use or disclose confidential information gained due to their position with Council either during or after their term of employment. If a recognised law enforcement agency or other government or judicial body lawfully approaches staff for any of the above types of information, they must inform their relevant General Manager or CEO. Information would be provided by Council’s Privacy Officers.

Refer to the Local Government Act 2020

Improper or undue influence

Staff must not use their position with Council to influence Councillors, the public, Council representatives or staff to gain an improper advantage, either financial or otherwise, for themselves or for any other person or group. Staff must not seek or accept any immediate or future bribe or incentive in return for performance of any duty or work for Council.

Refer also to the Fraud and Corruption clause in this document.

Conflict of Interest

The *Local Government Act 2020* defines the circumstances that give rise to a conflict of interest for Council employees.

In general terms, staff have a conflict of interest if they have a general or material interest in a matter that may be influenced by their role in the decision-making process of council; for example, where they (or their relatives) are likely to gain or lose financially or where their residential amenity is likely to be directly affected.

If a staff member believes that a conflict of interest may exist, the staff member should declare this to their manager and, if required, stand aside from any further participation in or provision of advice about the matter. Details of the interest can be disclosed using the prescribed Disclosure of Conflict of Interest form.

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If a staff member fails to disclose a conflict of interest, the CEO must notify the Chief Municipal Inspector as soon as practicable after the CEO becomes aware that the member of Council staff has failed to disclose a conflict of interest. A failure to disclose a conflict of interest by a staff member will be dealt with in accordance with Councils disciplinary process.

The Governance Rules outline the management of conflicts of interest for staff in meetings and when exercising powers, duties, and functions in decision-making processes. Disclosures of Conflicts of Interest are recorded on the Register of Conflicts of Interest.

Personal interests returns are made biannually by staff nominated by the CEO due to the statutory or delegated powers, duty or functions regarding any interests they may have that could influence their roles and responsibilities in Council, e.g., property ownership, community group memberships etc.

Refer to the Governance Rules and Disclosure of Conflict of Interest form.

Gifts, benefits and hospitality

This section must be read in conjunction with the Gifts, Benefits and Hospitality Policy for Staff which contains a requirement for members of Council staff to disclose all gifts above a specified level; and provisions providing for disclosed gifts to be recorded in a gift register.

Refer to Gifts Benefits and Hospitality Policy for Staff and Gift, Benefits and Hospitality Disclosure form or contact the Governance and Risk Coordinator for details

Secondary employment

Council recognises that private or secondary employment can contribute to staff acquiring additional skills and knowledge. However, this employment must not lead to a conflict of interest or damage Council's reputation and must be of a lawful nature. It is considered secondary employment if staff:

- own their own business; and / or
- are employed outside their service with Council on a casual, contract, permanent or consultancy basis by or for another employer.

This applies during any periods of leave (including unpaid leave). Secondary employment can be deemed a conflict of interest if the work;

- arises from, interferes with, or competes with the staff member's official duties with Council;
- involves a conflict of interest with the staff member's official duties (a conflict of interest exists when it is likely a staff member could be influenced, or could be perceived to be influenced by personal interest, in carrying out their public duty);
- is undertaken during agreed Council work hours or Council facilities and resources are used; and/or
- presents an occupational health and safety risk, e.g. working back-to-back shifts or driving long distances and therefore not allowing the appropriate rest periods.

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Staff must nominate whether they are involved in secondary employment during their onboarding or when they engage in secondary employment during their employment with Council. If 'yes' is selected, permanent full-time and part-time Council staff may be required to submit a written notification addressed to the CEO if they believe their secondary employment leads or may lead to a conflict of interest as outlined above. All notifications will be treated confidentially and generally approved unless the secondary employment creates either a direct or indirect conflict of interest with Council, or in the opinion of the CEO, impairs the staff member's ability to perform all expected duties and responsibilities of their position with the organisation.

Use of Council resources

Staff must ensure that Council resources, including personnel and equipment, are used effectively and economically and not to be used for personal reasons or private use. Council will take appropriate disciplinary action against a staff member who steals, misappropriates, or converts Council, community or customer assets to private use.

Communication with the media

It is important for Council to keep its community informed of its activities, and ensure facts are reported accurately. Only the CEO and Mayor are authorised to provide comments to the media on behalf of Council. All media enquiries must be directed to the communications team for further advice.

Refer to the Media Policy

Council staff identification and security

Employees must wear the Council provided name badge in a prominent position while at work or carrying out Council activities.

If staff are classified as '**authorised officers**' they must carry a photo identification card indicating their appointment. The officer must produce their identity card upon being requested to do so.

This card must also be shown, upon request, to an occupier of premises when entering for the purposes of conducting an inspection associated with duties as an authorised officer.

Refer to Information and Communication Technology Service Desk for security cards and Human Resources for name badges

Alcohol and drugs

Employees must not consume alcohol or take illicit drugs on any Council property and designated workplace in any form other than where consumption of alcohol has been authorised in advance.

An employee must not report for duty at any time, under the influence of drugs and/or alcohol if the level in their blood exceeds the legal Blood Alcohol Limit for their role or impairs their ability to effectively and safely perform the requirements of the position. This includes officers who are on-call.

If you are taking prescribed medication that may affect your performance it is your responsibility to inform your Manager immediately. Your Manager will modify any tasks you perform to mitigate risk to both yourself and others. If a modification of tasks is not possible you will be required to take personal leave for the period during which you are under the influence of medication.

All designated Council workplaces (all buildings and worksites), including an area of up to 10 metres from them, and Council vehicles are declared “Smoke Free” zones.

Refer to the Fitness for Work Policy, Smoking and E- Cigarette Policy

Professional dress and appearance

You are required to ensure your appearance is neat, clean and appropriate for your area of work. A high standard of personal hygiene is expected. Where a uniform is provided, it must be worn in accordance with Council requirements.

Refer to the Uniform Policy

Notification or allegations of offences

You must notify your Manager immediately if you are charged with a criminal offence; or an investigation is taking place or is soon to take place. This includes loss of licence where you are required to operate a Council vehicle or utilise your own vehicle for work purposes.

Notification is required because either circumstance may impact on your ability to perform your duties or risk reputational damage to Council.

Employment of family or friends

It is a fundamental value of Council that it deals with all matters with integrity and honesty. It is also vital that Council is seen to act in this manner. Therefore, if you have the authority to appoint/engage staff whether on a permanent, temporary or casual basis you must not seek to influence the selection process of a member of your family or friend and declare your conflict of interest to the Human Resources Coordinator.

You must disclose your association with the candidate to your Manager, General Manager or Human Resources.

Staff must not participate in any action or matter associated with the arrangement of a contract (i.e. evaluation, negotiation, recommendation, or approval), where that person or any member of their immediate family has a significant interest or holds a position of influence or power in a business undertaking tendering for the work. Staff directly involved in any facet of the tender or quotation process must report any actual or potential conflict of interest to the Procurement Team and the relevant General Manager

Employees who are related must not be involved in a supervisory/reporting relationship with one another, in addition, employees cannot be transferred, promoted or hired inside a reporting relationship with one another without the approval of the CEO.

Refer to the Recruitment and Selection Procedure; Procurement Policy

When you are a customer

Because many employees live within the shire, there may be times when employees will also be customers of Council. In such circumstances, employees should expect to be treated in a professional and courteous manner. Employees must not expect preferential treatment, nor should they seek to exert any pressure or use their influence to gain preferential treatment.

Employees subjected to pressure from other employees to gain preferential treatment under these circumstances should, without fear of reprisal, report the circumstances to their General Manager or the CEO so that the matter can be investigated and dealt with in accordance with the disciplinary policy.

Providing a reference

References from or on behalf of Council

Council may provide a written reference for a current or former employee, on the request of that employee.

Written references

Written references provided by or on behalf of Council will be produced on Council letterhead. The Payroll Officer can provide a Statement of Service that will indicate the employee's length of service and position(s) held in the organisation and remuneration if required. A General Manager can authorise additional employment-related information about the employee to be included in a written reference with the express consent of the employee.

Verbal references

Where the Council is requested by a potential employer, it may verify that a current or former employee works or has worked for the Council, the duration of that work, and the position occupied during that time. Council officers providing a verbal reference on behalf of Council will not give an opinion as to the suitability of a current or former employee for a particular position with any potential employer.

References from an individual Council officer

A current or former employee, or an organisation who has provided a service to Council, may request a reference from an individual Council officer.

These references will:

1. not be provided on Council letterhead
2. clearly indicate that content of the reference (whether verbal or written) contains the Council officer's personal opinions and comments and not that of the organisation.

6. Roles and Responsibilities

These management positions are responsible for the implementation, communication and compliance monitoring of the policy in their work areas:

Party / Parties	Roles and Responsibilities
All staff	Understand and adhere to the Staff Code of Conduct. Acknowledge understanding of the Code by signing the declaration page. Within the timeframe designated by Human Resources, provide a reason, in writing, if the Code is not signed.
General Manager / Managers / Supervisors	Ensure all staff are aware of and adhere to the Code. Promote or enforce the Code in their workplace.
Manager People and Capability	Facilitate the review of the Code every two years or as required. Ensure the Code is provided to all new employees during their onboarding. That the Code is available to all staff via the Intranet. Follow up and resolve any instances of employee failure to electronically acknowledge the Code.

All staff must report occurrences of non-compliance with Council policy and this Code. Incidents of non-compliance should be reported immediately to the General Manager responsible for this policy, the Policy Owner or the Governance and Risk Unit.

7. Definitions

Term	Meaning
Code	East Gippsland Shire Council Staff Code of Conduct
Staff	An employee of East Gippsland Shire Council engaged in a casual, limited tenure or permanent employment basis
Authorised Officer	A staff member appointed for the administration and enforcement of any Act, regulations or local laws relating to the functions and powers of Council.

8. Risk Reference

This Code of Conduct is implemented as a control to mitigate risks in the following categories:

Risk Category	✓	Risk Category	✓
Environmental		Technology and Information Management	
Health and Safety		Assets, Facilities and Security	
Project, Product and Service Delivery		Human Resources	✓
Financial and Economic		Procurement	
Leadership and Political Awareness		Corporate Governance and Compliance	
Reputation and Corporate Image		Legal	

9. Privacy and Human Rights Consideration

All personal information collected by Council in connection with the Staff Code of Conduct will be handled in accordance with all applicable privacy legislation and will be used only for the purposes considered in this Code.

The Staff Code of Conduct has been assessed as compliant with the obligations and objectives of the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

Please refer to www.humanrightscommission.vic.gov.au for assistance with this section.

10. Review and Revision History

Version Number	Date Approved	Approved By	Review Summary
1	April 2012	Management	
2	December 2013	Management	
3	November 2015	Management	
4	May 2018	Management	
5	December 2018	Management	
6	December 2021	Executive Leadership Team (endorsed by Strategic Leadership Team)	Updated to reflect Local Government Act 2020. Incorporate new Values and Behaviours. Refined to remove duplication.
7	August 2024	Executive Leadership Team (endorsed by Strategic Leadership Team)	General administrative amendments. Clauses updated for clarity – Breach of this Code, Alcohol and Drugs and Employment of Family or Friends. Roles and Responsibilities and Definitions tables updated.

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10.1 Administrative Updates

Minor amendments to this document may be required from time to time. Where amendments do not materially alter the intent of a document, they will be made administratively and approved by the Document Owner.

10.2 Document Control Disclaimer

Printed copies of this document are considered uncontrolled. Please refer to the Corporate Document Register on Council’s intranet to access the most current version of this document.

11. Employee Declaration

To be completed when an employee has been issued with a copy of the East Gippsland Shire Council Staff Code of Conduct

A signed copy of this form will be retained on the employee’s personnel file.

Employee declaration (please tick boxes)

- ☐ I have been provided with a copy of the East Gippsland Shire Council Staff Code of Conduct.
- ☐ I have read, understood and acknowledge my obligations in relation to the Staff Code of Conduct.
- ☐ I agree to adhere to the requirements of the Staff Code of Conduct and all referenced policies contained within the Staff Code of Conduct.

Name:	
Position:	
Signature:	Date: