

# Staff Code of Conduct

CD15753



# Document control

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## Acknowledgement of the Traditional Custodians

Banyule City Council proudly acknowledges the Wurundjeri Woi-wurrung people as Traditional Custodians of the land and we pay respect to all Aboriginal and Torres Strait Islander Elders, past, present and emerging, who have resided in the area and have been an integral part of the region's history.

We recognise and value the ongoing contribution of Aboriginal people and communities to Banyule life and how this enriches us. We embrace the spirit of reconciliation, working towards the equality of outcomes and ensuring an equal voice.

## Diversity Statement

Our community is made up of diverse cultures, beliefs, abilities, bodies, sexualities, ages and genders. We are committed to access, equity, participation and rights for everyone: principles which empower, foster harmony and increase the wellbeing of an inclusive community.

## Forward

**"We in Banyule are a thriving, sustainable, inclusive and connected community. We are engaged, we belong, and we value and protect our environment."**

This clear and powerful vision captures how our Community wants Banyule to be and is a critical guide for us to work towards. Our purpose, to be responsive to the diverse needs of Banyule's community in a resourceful and sustainable way.

Banyule City Council (Council) offers its community a range of quality lifestyles and exceptional amenities in an urban setting enhanced by the natural environment. Delivering over hundreds of services, we achieve this by upholding the highest ethical standards and living our Values:

**Respect**

**Integrity**

**Responsibility**

**Initiative**

**Inclusion**

Every one of us (Staff and Councillors) play an important role in creating an inclusive and consultative culture at Banyule City Council. The Staff Code of Conduct (Code) sets out clearly to help us understand what is expected of us as we go about our daily roles and our interactions with each other and community members. This Code meets the requirements of Section 49 of the Local Government Act 2020. Once we have a shared understanding of how to work together collectively can we achieve the extensive array of initiatives, with a focus on the 6 Priority Themes:

**Our Inclusive and Connected Community**

**Our Sustainable Environment**

**Our Well-Built City**

**Our Valued Community, Assets and Facilities**

**Our Thriving Local Economy**

**Our Trusted and Responsive Leadership**

I encourage you to read the Code and act in accordance with what's being outlined and the policies to which it refers. By focusing on our values, expected behaviours, and priorities, can we thrive, sustain and connect with the community.

**CEO, Allison Beckwith**

## Purpose of the Code

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At Council, we are committed to fair dealing and high standards of ethical behaviour in caring for and managing our municipality.

The community places its trust in our Councillors, staff and contractors to ensure that we serve them faithfully and honestly and manage resources responsibly on their behalf. We must therefore ensure the business of Council is conducted efficiently, impartially and with integrity, and that the interests of the Banyule community are always our priority.

The Code is designed to guide us in carrying out our duties honestly and with integrity. This Code, which meets the requirements of Section 49 of the Local Government Act 2020 (the Act), helps ensure we:

- comply with all relevant legislative and internal requirements,
- meet the highest standards, and
- avoid any form of conduct that may bring the Council, Councillors or ourselves into disrepute.

## Breach of the Code

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Breaches and non-conformance with the Code and associated policies, procedures and legislative requirements are taken seriously and may be dealt with under Council's Managing Conduct and Performance Policy.

## Reporting a breach

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Council encourages all staff to report inappropriate and unacceptable workplace behaviour, which will be always dealt with in a sensitive and impartial manner.

Staff are encouraged to raise concerns with their people leader or People and Culture if they believe someone has behaved inappropriately in the workplace or is in breach of the Code.

## Definition

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For the purpose of this Code, the definition of **staff** includes:

- an employee
- a contractor or subcontractor
- an employee of a contractor or subcontractor
- an employee of a labour-hire company who has been assigned to work in a particular business or part of the organisation or municipality
- an outworker
- an apprentice or trainee
- a student on work experience
- a volunteer
- any other person who is representing Council in its delivery of services

Council operates under two codes of conduct – one for Councillors and one for staff.

The two codes are clearly linked, with common principles, but they also distinguish the expectations of Councillors as elected representatives, from those of staff who are employees of the Council.

## Living our Values

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All Banyule staff are to adopt the key values of Working Together Working Better and strive to meet these behaviours in carrying out their duties.

Our core values are:



### RESPECT

is characterised by supporting each individual's dignity and worth.

We demonstrate RESPECT by:

- Accepting each individual's differences, values, culture and beliefs
- Always listening to the views and ideas of other people
- Treating others courteously and as you want to be treated
- Communicating the right information to people clearly and openly, and in a timely fashion
- Encouraging growth by recognising everyone's potential and skills



### INTEGRITY

is the quality of staying true to our moral, ethical, and spiritual principles. We demonstrate INTEGRITY by:

- Being open, honest and trustworthy in dealing with others
- Showing consistency and fairness in decision making
- Being accountable and delivering on what we say we are going to do
- Remaining authentic and true to ourselves
- Being professional and modelling the behaviours we expect in others (leading by example)



### RESPONSIBILITY

is acknowledging and accepting the choices we make, the actions we take, and the results they lead to.

We demonstrate RESPONSIBILITY by:

- Being accountable for our words, actions, and attitudes
- Thinking before we act and considering the consequences
- Doing what we are supposed to do and not leaving things for others
- Always doing our best
- Setting a good example for others



### INITIATIVE

is characterised by having a proactive, resourceful and persistent approach to work.

We demonstrate INITIATIVE by:

- Having a go
- Working with others in leading change
- Being ready to embark on bold new ventures
- Learning from mistakes
- Being persistent in overcoming barriers and trying new approaches



## INCLUSION

is characterised by embracing and valuing the perspectives and contributions of all. We demonstrate INCLUSION by:

- Creating an environment that welcomes all forms of difference
- Fostering a collaborative and high-energy work environment
- Undertaking appropriately robust and comprehensive engagement with all stakeholders
- Working with others to identify and deliver the best possible outcomes
- Communicating effectively

The above are examples and are not limited to the expected behaviours and interactions demonstrated in Council's Values of Respect, Integrity, Responsibility, Initiative and Inclusion.

## Our Internal Service Promise

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**“People will forget what you said or did but not how you made them feel”.**

### RESPECT

- I have good working relationships with my colleagues.
- I listen to my colleagues in meetings and don't talk over them.
- I take time to understand requests and what my colleagues are trying to achieve.

### INCLUSION

- I collaborate and involve others.
- I help others achieve the best outcomes possible.
- I communicate clearly when I request assistance and when I respond to requests.

### INITIATIVE

- I try to solve problems directly and approach others when I do not have the expertise.
- I make the most of opportunities to learn new skills from others and share the skills and knowledge I have with them.
- I am always looking for improvements to make life easier for my colleagues.

### RESPONSIBILITY

- My availability is clear. I set up my “out of office” and voicemail and explain when I will return or who else can help.
- I will return emails and calls that day or the next day I am at work (to acknowledge the email and set expectations).
- I answer a ringing phone whether it is for me or not and I pass messages on at the first opportunity.

### INTEGRITY

- I will explain the reasons for the decisions I make.
- I will present myself professionally at all times.
- I set clear expectations with my colleagues.
- I deliver my commitments on time and in full.

The above are examples and are not limited to the expected behaviours and interactions demonstrated in Council's internal customer service promise.

# Staff Conduct Standards

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As a guide, we expect the following standards of behaviour in relation to staff living Banyule's Values. This guide is not exhaustive and you should also refer to specific requirements contained within relevant legislation as well as Banyule's policies, procedures and guidelines.

The code applies during your day to day work duties and when you are representing Council.

## Respect, Equity and Diversity

You should respect and promote the human rights set out in our Charter of Human Rights and Responsibilities and understand how they apply to your work.

You should contribute to ensuring that the workplace is an environment where people are treated fairly and with respect and are free from all forms of unlawful discrimination and inappropriate workplace behaviours, such as sexual harassment, victimisation, bullying, harassment and occupational violence.

You should be fair, objective and respectful in your dealings with other staff and the community.

## Personal Behaviour

You should perform your duties diligently, impartially and responsibly, acting in good faith and in the interest of the Council and the community.

You should refrain from any form of conduct that may cause a reasonable person unwarranted offence or embarrassment.

You should show respect at all times when dealing with others, including clients, customers, Councillors and colleagues at all levels. Any grievances or differences of opinion should be raised in an appropriate forum and in accordance with Council's dispute prevention and settlement procedures. Supervisory staff should be respectful in all dealings with the people who report to them.

## Performance of Duties

You should comply with your contract of employment, legislation, policies and reasonable lawful instructions in performing your work. You should observe the highest ethical standards and support the ethical behaviours of others. You should meet the agreed criteria outlined in position descriptions, performance standards and position objectives.

## Lawful Direction

You should comply, as promptly as possible, with all reasonable lawful directions given to you by the Chief Executive Officer, Director, Manager/Coordinator or any person with delegated authority to give directions. You must also follow the lawful policies and procedures of the Council, regardless of whether or not you agree with them.

## Misuse of position

You should use your position in a responsible way. You must not use your position to:

- Gain or attempt to gain, directly or indirectly, an advantage for yourself or for any other person; or
- Cause or attempt to cause, detriment to the Council or another person.

Circumstances involving the misuse of a position include:

- Making improper use of information acquired as a result of your position.
- Disclosing information that is confidential.

- Improperly directing or influencing, or seeking to direct or influence, a Councillor, staff and/or member of the public.
- Taking, or seeking to take, an advantage of your status or position in order to obtain private benefit for yourself, or another person or body.
- Exercising or performing, or purporting to exercise or perform, a power, duty or function that you are not authorised to exercise or perform.
- Using public funds or resources in an improper or unauthorised manner.
- Failing to disclose a conflict of interest as required under relevant policies.

## Services to the Community

You should provide services to the community in an equitable, prompt and professional manner, acting within the level of your authority and in accordance with relevant policies.

## Use of Council Resources

You should exercise appropriate prudence in using Council resources and use them in the public interest. This includes:

- Maintaining appropriate security over Council property, facilities and resources provided to assist you in performing your role and adhering to any guidelines or policies in relation to our resources and facilities.
- Not using public funds or resources in an improper or unauthorised manner.
- Not using Council resources, including staff, equipment and/or intellectual property for personal or other unauthorised purposes.
- Ensuring all expense claims are accurate, relate only to Council business and are supported by relevant documentation.

## Conflict of Interest

You should declare and avoid conflicts of interest in order to help maintain community trust and confidence.

A conflict of interest may be actual, potential or perceived. This relates to circumstances where you are or could be, directly influenced, or where it is perceived you might be influenced. You should ensure your personal or financial interests do not interfere with the performance of your role and should seek to ensure the interests of family members, friends or associates does not influence, or could be perceived to influence, your performance in your job.

If you are unsure about a possible conflict of interest seek advice from your manager.

## Staff Gift and Hospitality Policy

Council is committed to ensuring that Staff act with integrity and honesty when performing their duties or while attending functions as Council representatives.

The acceptance of gifts, benefits and hospitality can create perceptions that a Staff member's integrity has been compromised.

In line with the Act, Banyule has separate Staff Gifts and Hospitality Policy and Councillor Gift and Hospitality Policy.

The procedures are transparent and accountable. Individuals are accountable for:

- **Declaring** all gifts, benefits and hospitality, and
- **Seeking approval for items over \$50**
- **Declaring declined** gifts, benefits and hospitality, or where an exception applies under the Policy.

Banyule maintains a Gift Register for all gifts and hospitality (accepted and declined) for Staff. In accordance with the Banyule Public Transparency Policy, the Gifts Register will be available on Council's website. Only gifts over \$50 will be published in the public register.



The Policy is intended to support staff to avoid conflicts of interest and maintain high levels of integrity and public trust.

## Remaining Apolitical

You should conduct yourself in an impartial manner as you implement and administer the policies and programs of the elected Council. You should, in the course of your work, avoid participating in activities which support a political party or independent candidate, such as attending fundraising or similar events.

During caretaker periods (which are governed by caretaker conventions relating to the period of the election campaign and sometimes the period immediately after the election) you should maintain neutrality and comply with relevant policies and protocols issued by Council. You do not use your position to support particular issues, parties or candidates in an election campaign.

## Interaction with Councillors

You should respect the relationship with Councillors and ensure any dealings are cooperative and supportive while maintaining a clear understanding of the differing roles and responsibilities of Councillors and staff. Staff are required to observe the staff/Councillor Interaction Protocols when dealing with Councillors.

## Corruption

Corruption in the public sector is generally defined as the misuse of a person's position or power to obtain personal gain either for themselves or for others. Under the Independent Broad-based Anti-corruption Commission Act 2011 corrupt conduct includes a public officer or public body who:

- performs their functions dishonestly
- knowingly or recklessly breaches public trust
- misuses information or material acquired in the course of doing their job for their own benefit or someone else's benefit
- conspires or attempts to engage in the above corrupt activity

Under the Act, corrupt conduct also includes a person adversely affecting the honest performance of a public officer's functions.

## Reporting Unethical Behaviour

You should report workplace behaviour that represents corrupt conduct, mismanagement of Council resources, misuse of position or is a danger to health, safety or to the environment. If you have a supervisory role, you should be aware of and inform your staff of their rights and responsibilities under the "protected disclosures" legislation and similar legislation.

## Child Safe Standards

As a Child Safe Organisation, it is understood that at the centre of compliance, is a broader commitment to cultural change. A child safe organisation is one that understands if we accept behaviour that is concerning to us without speaking up, we are condoning it.

Children and young people have a right to feel safe; their safety and wellbeing is the responsibility of everyone. We all have an obligation to keep children and young people safe from harm and abuse.

Council has zero tolerance for child abuse and racism, all allegations and safety concerns will be treated seriously and acted upon in line with Council's Managing Conduct and Performance policy. Any matters that are substantiated will result in disciplinary action up to and including termination.

You should understand the importance of your role in a Child Safe Organisation and the value of child safety by contributing to creating a workplace culture and environment that supports the safety, wellbeing, participation, and empowerment of children to express their culture and enjoy their cultural rights.

We recognise the distinct history and experience of Aboriginal and Torres Strait Islander children and young people and their families and encourage the expression, enjoyment and sharing of their culture.

You must be aware of your responsibilities outlined in Council's Child Safe policy and ensure you are clear about processes for reporting and acting on concerns or reports of abuse, incidents of racism, or neglect of a child.

You should respect, listen to, and promote the rights of children and ensure your own behaviour and interactions with children are age-appropriate, respectful and adhere to the behavioural expectations outlined in the Child Safe Standards. (*Child Safe Policy CD16727*).

## Privacy

Personal information requires special treatment and protection, and people who provide information to staff have the right to expect this information to be protected from misuse and be treated as confidential.

## Confidentiality

You should understand the importance of confidentiality. If you have access to confidential information you must ensure it remains confidential and that it is only used for its intended purpose, and at all times comply with legislation and policies relating to dealing with private and confidential information.

## Occupational Health and Safety

Council has a duty of care to provide and maintain a working environment that is safe and without risks to your health.

As an employee, and while in the course of employment, you have a responsibility to:

- Take reasonable care for your own health and safety
- Take reasonable care for the health and safety of people who may be affected by your acts or omissions at work
- Apply Council's values when considering safety issues arising from your work, and applying measures to ensure the safety of yourself and others
- Co-operate with your employer in relation to any action they take to comply with a requirement imposed by or under the Occupational Health and Safety Act (2004) and the OHS Regulations.

You must immediately report any injury, near miss, damaged equipment or any other hazard you see in the workplace to your immediate Manager, Coordinator or Team Leader.

## Drugs and Alcohol

You should be in a fit state to work and should not report for work, undertake work, or remain on Council's premises whilst impaired by or under the undue influence of drugs or alcohol.

You are not to consume alcohol on Council premises, or in the course of employment, without explicit consent from your Manager.

If you are taking prescribed or legally obtainable medication which you believe may interfere with your capacity to work safely and/or effectively, you must discuss this with your Manager/Supervisor.

## Dress and Appearance

You should ensure your appearance is neat, clean and appropriate for your area of work, position, and duties.

Where we provide you with a uniform or personal protective equipment, it must be worn in accordance with the OHS policy, uniform policy, job safety analysis, safe work, manufacturer's instructions or as directed.

When wearing a uniform to and from work, you should conduct yourself in a responsible and professional manner and in accordance with this code.

## Other Employment

You should only engage in other employment where it does not conflict with or compromise your role at Council. Other employment includes holding a second job, conducting a business, trade or profession, or being actively involved with other organisations in either paid or volunteer work. Staff must declare other employment so it can be assessed for any conflicts of interest and occupational health and safety implications.

## Managing Staff

If you manage staff you should provide a safe, encouraging, respectful and supportive work environment that recognises and values diversity, abilities and the contributions of all.

- You should provide your staff with a clear sense of direction and purpose.
- You should set realistic goals, timelines and workloads, and provide adequate resources and appropriate information for work to be completed.
- You should trust your staff to manage their work in accordance with their Position Description and provide them with support when needed.
- You should address any performance issues promptly, directly and confidentially with the staff member concerned.
- You should treat your staff fairly and consistently when making selection decisions and allocating work.
- You should regularly assess performance and provide constructive feedback and development opportunities.
- You should consult genuinely with your staff and meet industrial and legal obligations.
- You should also understand and respond to any legitimate concerns of your staff and encourage work arrangements that enable them to achieve a work-life balance.

## Supporting Others

You should work co-operatively with your colleagues, supporting and learning from them and accepting differences in personal style. You should also respect your colleagues' professional opinions and acknowledge their contribution.

## Policies and Procedures

Fundamental to living Banyule's Values, the Code requires all staff to be committed to, and adhere to, the policies, procedures and legislative requirements that govern our employee practices, and which are available on our intranet. If you do not have access to computers as part of your work, your supervisor needs to provide you with access to these documents in an appropriate and accessible way.

## Reference and Source

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1. Local Government Act 2020;
2. Privacy Act 1988; (as amended);
3. Privacy and Data Protection Act 2014 (Vic);
4. 8002-2003 Australian Standards code of conduct 2003;
5. Occupational Health & Safety Act 2004;
6. Framework for the development and review of Council Staff Codes of Conduct 2011.

# Human Rights review and statement

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The framework content of the Code has taken into consideration the requirements derived from the Victorian Charter of Human Rights and Responsibilities Act 2006.