



# Employee Code of Conduct





# Acknowledgement of Country

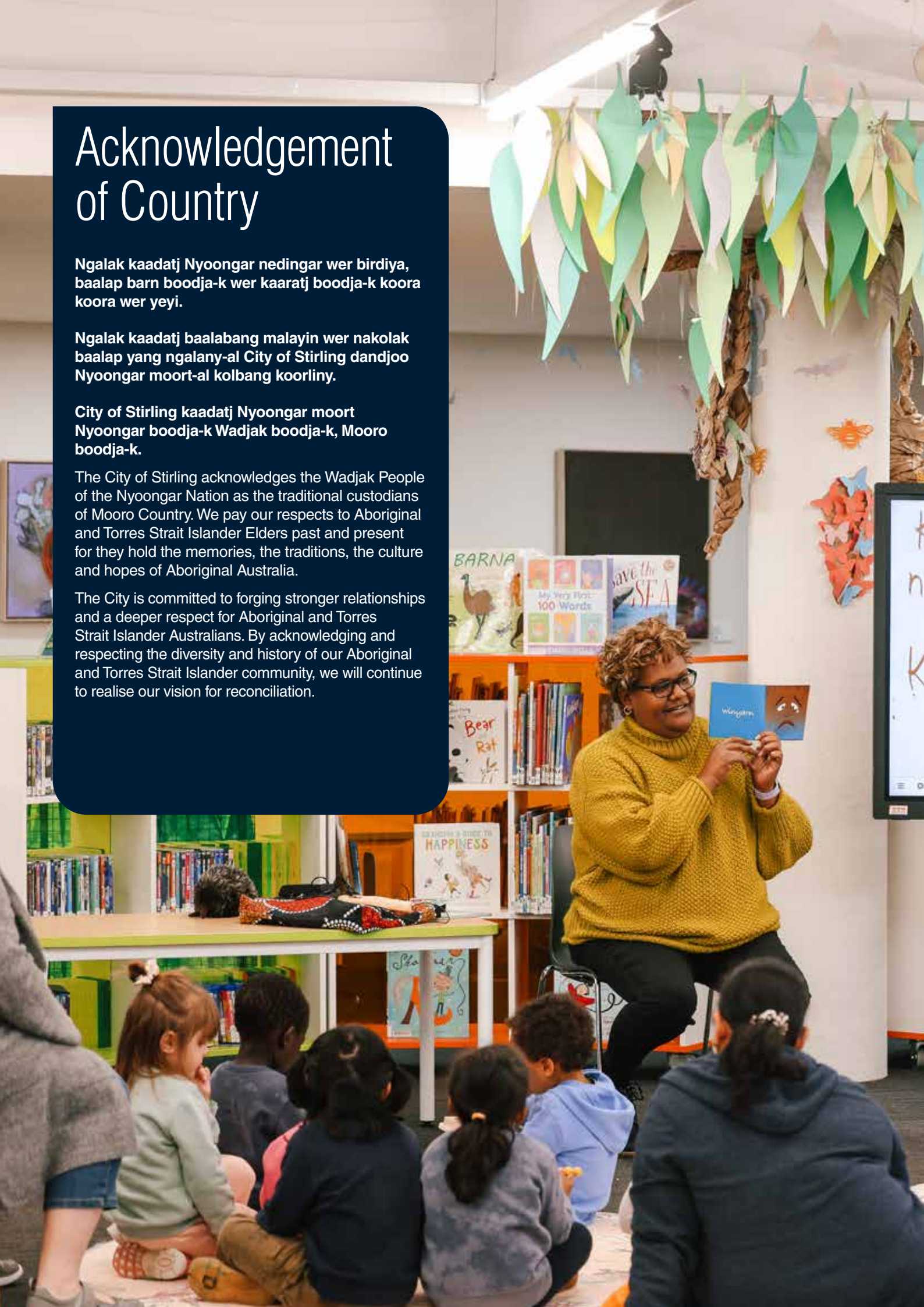
**Ngalak kaadatj Nyoongar nedingar wer birdiya, baalap barn boodja-k wer kaaratj boodja-k koora koora wer yeyi.**

**Ngalak kaadatj baalabang malayin wer nakolak baalap yang ngalany-al City of Stirling dandjoo Nyoongar moort-al kolbang koorliny.**

**City of Stirling kaadatj Nyoongar moort Nyoongar boodja-k Wadjak boodja-k, Mooro boodja-k.**

The City of Stirling acknowledges the Wadjak People of the Nyoongar Nation as the traditional custodians of Mooro Country. We pay our respects to Aboriginal and Torres Strait Islander Elders past and present for they hold the memories, the traditions, the culture and hopes of Aboriginal Australia.

The City is committed to forging stronger relationships and a deeper respect for Aboriginal and Torres Strait Islander Australians. By acknowledging and respecting the diversity and history of our Aboriginal and Torres Strait Islander community, we will continue to realise our vision for reconciliation.



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# A Message from the Executive Team



The City of Stirling (the City) is Western Australia's largest local government by population. The City provides 200 services to our residents, ratepayers, businesses and diverse community.

At the City of Stirling, we are committed to maintaining a work environment that is respectful, inclusive, and safe for all. The Code of Conduct is designed to provide guidance on the expected behaviour of all employees, volunteers, contractors and consultants and it outlines the values and principles that we demonstrate through our actions and decisions. We believe that by adhering to these guidelines, we can create a positive and productive workplace that benefits everyone.

Our Mission is clear that we serve our community by delivering efficient, responsive, and sustainable services. Our Vision is to be a sustainable City with a local focus.

Our Values of Approachable, Responsive, Transparent, and Innovative, are more than a set of words. They're about how we work with each other and the community. It's how we get things done and what we stand for as a team. At the City, we celebrate and welcome diversity. We create a welcoming and inclusive workplace culture in which everyone can bring their authentic self to work.

The Code of Conduct assists and guides employees in determining the appropriate and acceptable standards of behaviour which apply in various circumstances. All employees should refer to the Code of Conduct for general guidance, or when faced with a situation that may question integrity and ethics.

Our Executive team and I are committed to creating a workplace where you are encouraged to be your best. Together we will continue to make the City of Stirling the best place to live, work, visit and invest.

**Stevan Rodic**

**Chief Executive Officer  
on behalf of the Executive Team**



# Introduction

The City of Stirling's Code of Conduct (the Code) sets out the professional standards of behaviour to maintain and the appropriate values aligned behaviour in the workplace.

The Code assists and guides employees and workers in determining the appropriate and acceptable ethical standards of behaviour which apply in various circumstances. It ensures all City Workers act in the best interests of our community, upholding a high standard of ethical behaviour.

This Code applies to all City employees and workers whether at work or not. The Code applies in work settings and includes events and activities that occur outside of business hours and/or away from the City of Stirling premises where there is a workplace connection.

## **The purpose of a code of conduct is to:**

- Outline and articulate values aligned standards of behaviour and conduct required of all Workers
- Provide guidance to Workers in the exercise of good judgement
- Explain the responsibilities of Workers in instances of alleged unethical practices or unprofessional behaviour that is inconsistent with this Code
- Identify potential consequences for Workers who breach the Code.

This Code does not form part of any employee's contract of employment, nor does it form part of any worker's engagement for service.

**To ensure you are accessing the most current information on the topics covered in the Code, please refer to the Local Government Act 1995 (WA) and the relevant Policies, Management Practices or Procedures on our external and internal websites. These documents are subject to ongoing review and it is your responsibility to keep yourself informed.**

## **Our Vision**

We are a sustainable City with a local focus.

## **Our Mission**

To serve our community by delivering efficient, responsive, and sustainable services.

## **Our Values**

At the City, our culture reflects the values, beliefs and behaviours of our entire workforce. Our values are critical to shaping our culture by guiding workplace conduct and decision making. They represent who we are and underpin our day-to-day interaction with one another and the decisions we make individually and collectively as an organisation.

The City has four core values. Our expectation is that every City worker will be an advocate for, and actively role model, each of these values.

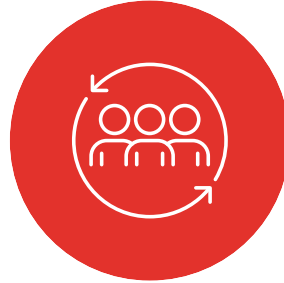
# 1. Our Values



## Approachable

**We are welcoming, respectful, and work collaboratively towards our shared goals.**

- Invest time and effort to develop positive relationships
- Actively listen, seek, and accept feedback to improve performance
- We are inclusive, openly shares ideas and knowledge
- Treat each other fairly and equitably.



## Responsive

**We understand our Community needs and are proactive to achieve positive outcomes.**

- Respond with agility and flexibility to the changing needs of the City and our Community
- Customer focused and work together to achieve solutions
- Prioritise the safety and wellbeing of ourselves and the Community
- We will do what we say.



## Transparent

**We approach work with integrity and are open in our interactions.**

- Accountable for own actions and performance
- Make ethical decisions in the best interest of the City and our Community
- Encourage each other to speak out when we see something wrong
- Clearly communicate and share information.



## Innovative

**We strive for continuous improvement to deliver a sustainable future and a positive impact for our Community.**

- Create a safe environment where everyone's ideas are welcomed and heard
- Encourage curiosity in self and others
- Future focused
- Embrace technology and improved ways of working.

## 2. The City of Stirling's Code of Conduct

### 2.1 Why do we need a Code of Conduct?

Working in Local Government is different to working in many other workplaces. We have a responsibility to use our community's resources in a respectful and efficient way. The *Local Government Act 1995 (WA)* requires us to implement a Code of Conduct and we expect all City employees and workers to abide by this code.

Regardless of the compliance requirements, it is important to have a Code of Conduct in any organisation for several reasons, specifically to:

- i. Establish a culture of ethical behaviour and promote a positive work environment
- ii. Ensure that representatives of the City are aware of their responsibilities and the consequences of their actions
- iii. Establish a clear set of expectations for representatives of the City and provide guidance on how to handle ethical dilemmas
- iv. Prevent legal issues and protect the City from liability
- v. Help build trust with customers, stakeholders, and the public by demonstrating that the City is committed to ethical behaviour.

### 2.2 Who is covered under this Code?

The Code applies to all employees and workers of the City and all persons entering a City workplace.

Workers is the collective term used in this Code for employees, contractor or subcontractor, employee of a labour hire company assigned to work for the City under a contract of services, an outworker, an apprentice or trainee, a work experience person, a volunteer, or an agent of the City.

Elected Members, committee members and candidates have their own Code of Conduct, in accordance with the *Local Government (Model Code of Conduct) Regulations 2021 (WA)*.

This Employee Code of Conduct covers:

- The conduct by, and treatment of, all employees and workers; and
- All activities undertaken by workers during the course of carrying out their work for the City, including all dealings with Elected Members, customers, client, co-workers, management, students, volunteers, suppliers, visitors, members of the public and any other dealings for the City both in and outside of the workplace.

The Code is not restricted to standard working hours and includes, but is not limited to:

- After-hour events connected with work such as social events, seminars and workshops, etc;
- Communication or online activities in connection with the City, refer to the relevant Management Practice; and
- All activities relevant to the execution of the City's corporate or community activities.

We expect that all employees complete the online compliance training on the Code of Conduct. Non-employees have an obligation to read and understand the Code, the City's Statement of Business Ethics, and the terms and conditions specified in individual contracts, Agreements or other terms and conditions. Volunteers of the City need to read this Code together with the Code of Conduct information contained in their Induction training.

## 2.3 Our expectations

The Code outlines the expected behaviour of all in the workplace. It is designed to ensure workers are comfortable in their work environment and are treated with respect and professionalism.

We serve a multi-cultural community and are proud of our diverse workforce. We respect, embrace, and celebrate our differences. In serving our community, we must establish long-term, sustainable relationships. We do this by living our City values and demonstrating acceptable behaviour, aligned with this Code and the law. This applies to every interaction not only with the community, but also with each other.

Consistent standards of ethical behaviour are expected from all City workers provided in this Code and must observe the standards of conduct outlined in the *Local Government (Administration) Regulations 1996*.

We expect everyone representing the City to make ethical decisions in line with our City Values. The City does not tolerate unacceptable behaviour, including behaviour that creates, or has the potential to create, risk to the health and safety of workers, and the reputation of the City. This can include bullying, harassment, coercion, preferential treatment, bias, discrimination, and/or aggressive or abusive behaviour. Maintaining the highest standards of ethics requires a commitment to doing what is right, even when it is difficult or inconvenient.

Examples in this Code may not cover all situations. Workers should use their judgement in each situation. If uncertain, workers should reach out and talk to their People Leader or Human Resources or seek other support available as outlined in this document. Workers must report any breach or suspected breach of this Code, even if they do not have all the facts.

Topics covered by the Code are also the subject of detailed City policies, management practices, procedures, or legislation. Relevant references or documents have been identified in specific sections of this Code for ease of reference; however, this is not an exhaustive list and is subject to regular review. These documents can be found on the City's intranet (CoSi). Workers are expected to read and understand all relevant policies, management practices, procedures, and legislation.

Breaches of the Code require immediate attention, whether they are intentional or unintentional. It is the workers duty to report known or suspected breaches of the Code to their People Leader or Human Resources.

Together, we have a shared responsibility to create a safe and healthy work environment for all.





## 2.4 Our responsibilities

### Workers Responsibilities

- Read and understand the City's Code of Conduct
- Employees complete the City's mandatory Code of Conduct training and performance reviews
- Employees complete the City's mandatory Code of Conduct training
- Speak up – do not ignore, condone or be a bystander when you witness or hear about behaviour that breaches the Code. Immediately report your concerns to your People Leader or Human Resources
- Stay true to our City Values and report poor behaviour immediately to your People Leader or Human Resources
- Follow all City policies, management practices and procedures
- Ask questions if you need further clarification and ask for help if you need guidance. Your People Leader and Human Resources is here to answer any questions you may have
- Apply consistent standards of ethical behaviours
- Comply with all federal and state laws, including health and safety legislation.
- Provide the Code of Conduct to any worker who is not an employee and ensure they understand their obligations under the Code when representing the City
- Provide the Code of Conduct to any worker who is not an employee and ensure they understand their obligations under the Code when representing the City
- Take any concerns relating to this Code seriously and manage concerns in a responsive and appropriate manner
- Talk about the Code – talk to your team about ethics and integrity and the City's expectations
- Provide ongoing awareness and training of the City's Code, policies, management practices and procedures to your team
- Take corrective and preventative actions when something is reported and support any investigation
- Make decisions that preserve the trust others have in the People Leaders at the City
- Comply with all federal and state laws, including health and safety legislation.

### People Leader Responsibilities

- Read the City's Code of Conduct and understand your responsibilities as a People Leader
- Complete the City's mandatory Code of Conduct training
- Lead by example, model the City's Values and be a positive role model to others
- Champion a culture of integrity and create a safe environment for all

Further duties and responsibilities for all employees are covered in the individual employment contract, relevant Policies, Management Practices and Procedures. Workers, excluding employees, will have further duties and responsibilities outlined in the terms and conditions of engagement or services contract. These lists are not exhaustive and other responsibilities may be required.

## 2.5 Speaking Up

No one has the authority to ask employees or workers to violate this Code. When faced with an ethical concern, it is helpful to use the below as a guide.

### i. Identify the situation

- What do you know? You don't need to know all the facts to speak up.
- What are the consequences of a course of action or non-action?
- Who are the people involved?
- Are there any legal issues to consider?

### ii. Seek guidance

- Consider if there is a City policy or management practice to guide the decision.
- Discuss the concern and proposed course of action with a People Leader, Governance, Human Resources.

### iii. Reflect – ask these questions

- Would I be happy for my actions to be open to public scrutiny?
- How would I feel if I were on the receiving end of my decision?
- How will this impact on my reputation or the reputation of the City?
- What would happen if everyone took this course of action or behaved in this way?
- Would my actions be different if this were my money, my time, or my equipment?
- Can I justify this action or behaviour to myself or anyone else?

### iv. Choose a course of action

- Actions must be lawful and consistent with City policy and Public Sector Standards and Guidelines.
- Any action or decision you make must be justifiable.
- You can access the Reporting Misconduct; Code of Conduct of City of Stirling Employees Form or ask your People Leader, Governance or Human Resources where to locate this form

Failure to read or formally acknowledge the Code does not excuse anyone from their obligations.

## Decision Checklist

### How do I know whether I am making the right decision?

The below checklist is here to support workers in case they are unsure of what to do or unsure if they need to speak up.

- ☐ **Safety** – is there a risk of putting yourself or others in danger?
- ☐ **Ethical** – is it truthful, fair and honest?
- ☐ **Values** – is it aligned with our City Values and with this Code?
- ☐ **Legal** – is it legal and in line with our City policies and management practices?
- ☐ **Community** – will this impact our community? How would I feel if a customer was to find out?
- ☐ **Conscience** – is this in conflict with my own personal values? Can I sleep comfortably at night, knowing I made this decision?
- ☐ **Media** – how would I feel if this became public knowledge?
- ☐ **Benefit** – Does it benefit the City and its community as a whole – not just a certain group or individual?
- ☐ **Advice** – What would I tell others to do? What advice would I give? What will my family think of me if they find out?
- ☐ **Emotions** – What does my gut tell me? Do I feel comfortable with my decision or do I feel uneasy?

# Our Values



**Together,  
we will make  
a difference**







# Our People

# 3. Our People

## 3.1 Respecting and valuing diversity

Diversity fosters innovation. When a diverse group of people come together, the ideas and outcomes can be exceptional. As the largest local government by population in Western Australia, the City represents a vast multicultural community.

The City has a zero-tolerance approach to discrimination, harassment, and bullying. We seek to be accepting of our differences and celebrate the uniqueness of everyone. We foster a culture of belonging, where individuals feel safe to work collaboratively with others. We do not gossip, blame, or judge, but instead speak from a place of concern, care, and support.

All existing and prospective workers will be evaluated on merit and will be treated fairly and with dignity and respect. All City policies, management practices and procedures support the fair treatment of employees in our workforce.

Anti-discrimination laws also help protect everyone from discrimination and harassment. It is an expectation that all City workers observe the requirements of relevant legislation.

We expect all City workers to demonstrate the City's Values all interactions with one another. Workers should think about the impact their actions could have on someone if they are not aligned to this Code. A worker who feels they are being subjected to inappropriate behaviour should refer the matter to their direct line People Leader, or alternatively, contact a member of the Human Resources team.

The City will not tolerate any level of violence or threat of violence in the workplace. Under no circumstances should any worker threaten violence of any kind.

Such conduct constitutes a breach of the Code and may warrant summary dismissal for serious misconduct.

## 3.2 Safety and Wellbeing

The City has a duty of care to ensure a safe and healthy work environment for all. Worker safety and wellbeing is everyone's responsibility. We aim to create an all-inclusive culture where our people can thrive. We are committed to establishing a workplace environment that is safe and free of health risks. Workplace health and safety (WHS) includes both physical safety and mental wellbeing.

All workers have a duty to take care of their own health and safety and we expect them to take all relevant safety precautions in the execution of their work. This includes attending all relevant training and being fit to perform all duties in their position. Workers should wear protective clothing and safety equipment, when required of them, to ensure the safety of all and report any hazards or incidents in accordance with the City's incident reporting procedure. Workers should always comply with City policies, management practices and procedures, as amended from time to time, along with any legislative requirements.

The City is committed to make reasonable adjustments to its workplaces to support people with physical or mental illness. Workers have a duty to notify the City of any such issues if it affects their ability to do their job.

The City's Health and Wellness program is an integrated, holistic, and preventative program that is provided to all City workers. Part of this program is an Employee Assistance Program (EAP), which provides support for all workers and their immediate family members and is available by telephone or online. The contact information of our current EAP provider is available on CoSi or alternatively, employees can obtain the contact details from their People Leader or from the Human Resources team.







### 3.3 Working with vulnerable people

In the context of this Code, 'vulnerable persons' refers to people aged under 18 or other individuals who may be unable to take care of themselves or are unable to protect themselves against harm or exploitation.

**While all people must be protected from harm, there are additional legislative and ethical considerations for protecting vulnerable people. Vulnerable people can include:**

- children and seniors
- people with impaired intellectual or physical functioning
- people from a low socio-economic background
- people who are Aboriginal or Torres Strait Islanders
- people who are not native speakers of the local language
- people with low levels of literacy or education

### 3.4 Drugs, alcohol, and our smoke-free environment

Worker wellbeing is most important to us. We expect that everyone working for and at the City will be fit for work. Workers must function at acceptable levels and not be under the influence of alcohol, drugs, or other substances whilst undertaking work for the City.

If you are on any prescription medication that may impair your fitness for work, you are required to advise your People Leader and Human Resources. If alcohol is consumed at any work-related event, workers must conduct themselves professionally in accordance with this Code and relevant Management Practices.

All City owned, controlled, or managed buildings and other like facilities are declared smoke free zones. Smoking of tobacco or vape products is prohibited. Smoking or vaping is not permitted in City owned or operated motor vehicles or other equipment.

Smoking or vaping is only permitted in designated smoking areas in open-air locations provided the smoker is no less than 10 or more metres away from any building, vehicle, plant, equipment, air conditioning intakes and fuel refuelling point.





### 3.5 Dress Standards

The City has a “dress for your day” Flexible Dress Standard which provides workers with the ability to choose the appropriate attire for each workday. We want everyone to be comfortable at work and ask workers to use good judgement to appropriately represent the City when presenting for work.

For certain roles within the City, a City-issued uniform may be required to be worn. These positions are detailed in the Employee Uniform Management Practice and include, as an example, any customer-facing workers in Library Services, Health and Compliance, Community Services, Recreation and Leisure, and Civic and Hospitality Services. Other positions at the City have a provided uniform that incorporates WHS requirements and forms part of an employee’s personal protective equipment (PPE), such as long-sleeved high-visibility cotton drill shirts, cotton drill trousers and steel capped boots.

Workers are always required to wear their name badges or a City uniform with their name embroidered and visible without obstruction.

Where workers are in City uniform or are in a work car or in any other way are clearly identified as being employed by the City, then their conduct must be to the standard outlined in this Code, including outside of work hours.

### 3.6 Secondary Employment

Employees can take up paid employment or unpaid work outside the City if it does not conflict with, or adversely affect their duties. Secondary employment may potentially create a conflict of interest with the duties as a City employee. As such, employees are required to seek approval for secondary employment as outlined in the Outside Employment Management Practice.

The Management Practice includes the timing of informing or the requirement to seek approval, which is either at the commencement of employment or prior to the commencement of the secondary employment.

Employees who maintain secondary employment must ensure they adhere to their responsibilities, which includes but is not limited to, Fatigue Management.

If in doubt of any potential conflict of interest, or meeting the Work Health and Safety responsibilities, employees should contact their People Leader.





### 3.7 Confidentiality and Privacy

Every workplace has information that needs to be managed appropriately and with the right level of discretion and sensitivity. Members of our community trust that we will manage their information with a high level of care and confidentiality.

**Confidential Information includes, but is not limited to the following:**

- personal information of members of the public;
- any information relating to a City employee, unless authorised to do so;
- information about other workers;
- salary or wage information;
- client data, client lists, personal information of the City relating to the business;
- strategic, financial information and general affairs and any other matters that do or may affect the City's financial position or reputation;
- terms of contracts or arrangements between the City and any other party, including suppliers;
- any information specifically marked as confidential;
- any intellectual property; and
- any other information that has been disclosed in confidence.

City workers may be privy to confidential or privileged information, and we expect everyone to use this information appropriately. This information should never be divulged or used inappropriately to gain a direct or indirect advantage, financial or otherwise, for workers or any other person or body.

As workplace technology evolves, the City may update its access systems and other related protocols, which may impact our privacy procedures. Care must always be exercised when collecting and managing the private information of City workers, suppliers and members of the public. The inappropriate use of information or abuse of position may constitute a breach of the Code, employment contract and / or relevant Policies, Management Practices or Procedures and may be reportable to the PSC or CCC as outlined in section 6.1 of this Code.

Workers are subject to contractual obligations regarding confidentiality and the use of confidential and sensitive information. This means that workers must not use any City information obtained in the course of their employment, or after their employment has ceased, for personal gain or benefit, nor should they pass it on to others who may use it in such a way, unless the disclosure is:

- required by law,
- made as part of the proper performance of their duties as a worker, or
- agreed to by the City.

**Information that is otherwise publicly available may be disclosed.**

Workers who cease employment with the City will be required to return any originals and any copies or extracts of the confidential information and delete any electronic storage of confidential information. Confidentiality is a post-employment obligation; workers must not use the Confidential Information in any way or disclose the Confidential Information to any person except, where authorised, in writing by the City.

## 3.8 Information and Technology

Logging onto the City's IT network means that workers have agreed to the City's Information and Technology Acceptable Use Policy, which applies to everyone who works at the City and has a network account. The City network and assets should only be used for purposes that are legal and authorised. Access will be granted to approved users only. Workers use of City resources is not private, and may therefore be monitored, retained, or reviewed.

Workers should ensure they read and understand the contents of our Information and Technology Acceptable Use Policy. This document clearly outlines the difference between acceptable and unacceptable telephone, internet and email usage and data access.

Our fast-changing digital world has seen new, alternative methods of communication evolve in recent times, such as social media and apps. Our community now expects the City to be more aware of the types of digital media available and to utilise these channels in communicating with the City. The City's Social Media Management Practice provides relevant guidance in relation to social media usage, monitoring and communication.

Generally, the use of the City's devices by workers is restricted to employment related purposes. However, limited personal use of these assets is also permitted, provided it does not interfere with the performance of an workers duties and responsibilities and does not constitute illegal or unethical behaviour.

**Workers must take all due care to maintain the security and privacy of these resources by:**

- not sharing your password,
- locking your computer when you leave your workstation,
- not forwarding internal emails to external recipients without appropriate approval,
- not forwarding emails containing inappropriate or offensive material.

This list is not exhaustive.

Misuse of assets may amount to misconduct and result in disciplinary action.



### 3.9 Use of City assets, including vehicles

We want everyone to be efficient and engaged in the work that they do and to enable this, we provide each worker with job-related tools. We have a responsibility to each other and to our community to ensure that we are not wasteful in the use of City assets.

Job-related assets can include both physical and non-physical property (Assets). Assets may consist of the office space, facilities, buildings that we work in; the technology, software, desktops, laptops, mobile phones, or other devices; City vehicles, machinery, and equipment; and credit cards, office supplies, money, uniforms, name badges, security cards, keys and Intellectual Property (IP).

Some City positions may be allocated assets to ensure the worker is fully equipped to carry out the duties of their position. Workers are not permitted to loan, sell, give away, or use any City asset for any other commercial or personal use.

#### Vehicles

Assets also include City owned vehicles. The use of all City vehicles is subject to the Fleet Management Practice. Where a motor vehicle is required for City business, workers must use their best endeavours to obtain a City motor vehicle; however, where none is available, workers must obtain approval from their People Leader to use their private motor vehicles.

Any parking, speeding or other infringements incurred by the driver of a City vehicle are the responsibility of that driver. All accidents involving City vehicles or City workers on City business are to be reported immediately to the relevant People Leader.

All City assets must only be used for City related purposes, or as otherwise detailed in the relevant Policy, Management Practice, Employment Contract or Agreement. If in doubt, speak to your Business Unit Manager.

All assets assigned to you must be maintained in good condition by you and used responsibly by you in accordance with the City's relevant Policies, Management Practices or Procedures. Whilst using City assets, including vehicles, your actions must remain lawful, i.e. you must have a valid drivers license.

Anyone who uses an asset for any purpose other than to complete their job, without the appropriate authorisation or consent may constitute a breach of the Code, employment contract and / or relevant Policies, Management Practices or Procedures and may be reportable to the PSC or CCC as outlined in section 6.1 of this Code.

At the end of your employment with the City, all assets belonging to the City that is in your possession, including any identification connecting you to working for the City, must be returned by your final date of employment or work for the City.



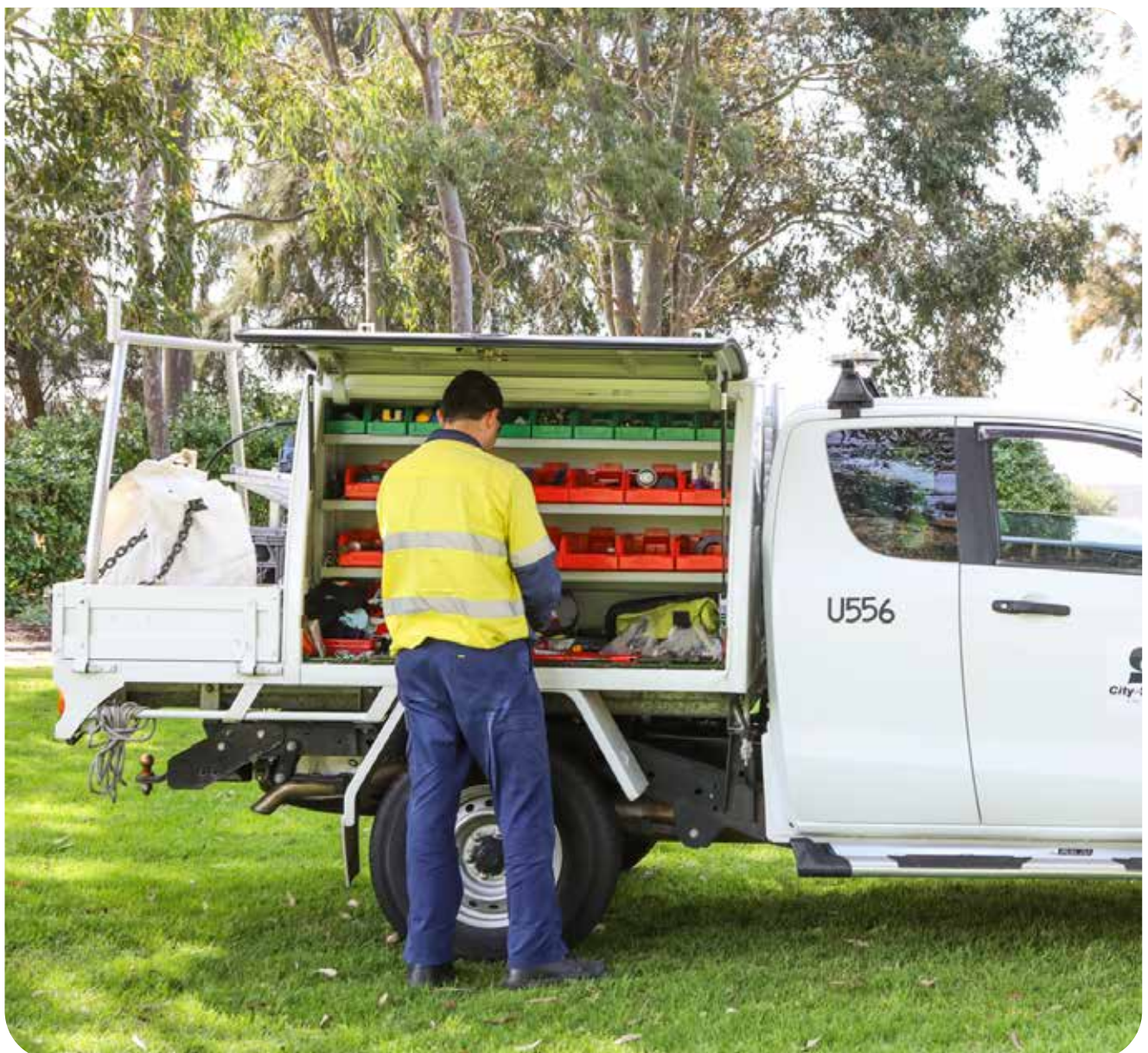
### 3.10 Security

Caring for one another is fundamental in how we work every day. Worker safety is most important to us, and so is the security of our assets and information. The City has security protocols in place that make it easy for workers to report any suspicious activities that could place a worker or any of our assets at risk.

Our corporate information system has levels of security designed to prevent unauthorised access. Workers should choose passwords that meet our security standards and never disclose their passwords to anyone else. Additionally, workers must not use the same password they use at the City for other personal accounts.

Workers must always keep their building access cards in a safe place. Cards must not be misused or lent to others. Lost cards must be reported immediately to the Security Systems Officer.

Workers must ensure City assets and information they are using or have in their possession are always secure. This is particularly relevant for portable and electronic devices, such as mobile phones and laptops.





Ordinary Meeting of the 30th Council  
3 December 2019

## AGENDA

### Notice of Meeting To: The Mayor and Councillors

The next Ordinary Meeting of Council of the City of Sydney will be held  
on Tuesday 3 December 2019 at the City of Sydney Council Chamber  
200 George Street, Sydney commencing at 6.30pm.

*Stuart Lavelle*

Stuart Lavelle PM / Chief Executive Officer

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# Our Governance



# 4. Our Governance

## 4.1 Conflict and Disclosure of Interest

The community expects the City's workers will perform their official duties in the public interest and not improperly use their positions or authority for personal gain or to cause detriment to others.

A conflict of interest is a situation in which a worker of the City also has a personal or financial interest with another party that may impact their role or decision-making ability for the City. Actual, potential and perceived conflicts of interest can arise from several sources, including friends, relatives, close associates, financial investments, personal circumstances and past employment, or potential private or personal interest (such as investments, political views, relationships, voluntary work, membership of other groups or private employment). A conflict of interest, for any reason, may influence, or appear to influence, objectivity when exercising work related decisions or actions.

Workers should be impartial when performing all aspects of their duties. Having a conflict of interest is not wrong, but it needs to be managed in the interest of the City rather than the interests of the individual.

If a worker is unsure of whether a conflict of interest exists, they should discuss it with a People Leader as soon as they become aware that it may be an issue. A conflict situation may change over time and may need ongoing monitoring.

To assist in identifying, avoiding, and managing conflicts of interest, workers should ensure they have read the 'Employee's Disclosure of Conflicts of Interest Form', which outlines the requirements of all employees when it comes to conflict of interest. This includes reference to the Local Government Act 1995 and Regulations, which clarify the requirements of workers in disclosing conflicts of interest.



## 4.2 Disclosure of interest at Council or Committee Meetings

Where a worker has an interest in any matter to be discussed at a Council or committee meeting, at which they will be present, they must disclose the nature of the interest, either in written notice to the CEO before the meeting or immediately before the matter is discussed at the meeting.

Alternatively, if a worker has given, or intends to give, advice regarding any matter to be discussed at a Council meeting or Council endorsed committee meeting, at which they will not be present, they must disclose the nature of any interest they may have in writing to the CEO before the meeting or at the time the advice is given.

The written notice that is given to the CEO will then be passed onto the person presiding over the meeting. This person must bring the notice and its contents to the attention of the persons present, immediately before the matter to which the disclosure is related, is discussed. The disclosure must also be recorded in the meeting minutes.

Workers may be excused from a requirement to disclose an interest if in the first instance they failed to disclose the interest and if the worker is in good faith able to prove that they were not aware of an interest in the matter that they may have had. Workers may also be excused if they failed to disclose an interest in a matter if they were unaware that a matter of interest was to be discussed at a designated meeting but then disclosed the interest as soon as possible after the meeting.

These disclosure requirements are in addition to a workers requirement to disclose direct or indirect financial, property and other interests under the Act and Regulations.

## 4.3 Political Affiliation

A workers right to maintain political convictions or to be a member of a political party is respected. However, all advice given by workers in the course of their employment must be given in such a way that is impartial and does not reflect any political association or desire.

Where a worker is in a position of conflict between their personal political beliefs and their professional duties, they must disclose this conflict to their People Leader and act in accordance with the People Leader's instructions.

Where workers are speaking or acting publicly in the exercise of their right to express their political convictions, they should ensure that they are doing so in their personal capacity and not as a representative of the City. This includes making comment on public platforms, such as social media, where a worker can be linked to the City.

The use of City resources or property to support political activities or lobbying is prohibited.

## 4.4 Local Government Elections

Employees have an administrative role in support of the WA Electoral Commission who conducts the election on behalf of the City. Employees must not get involved, including campaigning, in the elections other than as part of an authorised administrative function.

Section 4.94(c) of the Local Government Act 1995 provides that a local government employee must not canvass at any election of the local government of which they are an employee.

## 4.5 Gifts and Hospitality

Workers of the City must not receive prohibited gifts from any persons associated with the City.

Prohibited gifts' refers to any gift worth \$300 or more; or receiving several gifts from the same person or company within a 12-month period that is worth more than \$300 in total.

**Any 'persons associated' are people who are either:**

- Undertaking, or seeking to undertake, an activity or business dealing with the City; or
- has reason to believe it is intending to undertake an activity with the City.

Workers of the City may be able to accept a gift if it is not a prohibited gift. The City asks all workers to carefully consider the appropriateness of accepting any gifts. For a gift worth less than \$50, such as a keyring, pen or chocolates, there is no requirement for this to be reported.

For a gift worth between \$50 and \$300, workers are required to notify the CEO of the details of the gift within 10 days of the acceptance of the gift. Details on how to report a notifiable gift, can be found on the gifts disclosure form which you can obtain from CoSi, or by asking your People Leader.

## 4.6 Record Keeping and the Use of Information

City workers are required to manage corporate information in accordance with legislation. The State Records Act 2000 (WA) applies to all Local Government agencies and their employees and workers.

**All City employees and workers should take care to protect the unauthorised access or use of information. This requires each of us to:**

- only access information that is required for our role;
- never destroy records without any appropriate approvals;
- ensure a transparent process; and
- maintain the required levels of confidentiality with regards to records and information.

The City has a Record Keeping Plan and information technology systems that help us to manage information properly. Employees and workers must ensure they manage information in accordance with the Record Keeping Plan and their role.

Members of the public may access information that is required by law to be made available by the City. Members of the public can also access information through the Freedom of Information Act 1992. Information must be made available freely in line with the Act, without questioning the motives of the person seeking that information.

It is important when preparing any document that may become part of the public record that only facts are recorded and no personal opinions or disparaging remarks. Actions and decisions should be recorded to assist transparency.

For further information regarding recordkeeping and disposal of records, please refer to the City's Information Management Policy.

## 4.7 Intellectual Property

As a rule, the City owns the intellectual property created by its employees, agency workers, work experience students, interns and volunteers in the course of their employment or placement with the City.

This may include but is not limited to products (or creating of products), documents, designs, blueprints, content, materials, ownership of any invention, technology, development or concept, prototype or know how, including enhancements and improvements relating directly or indirectly to any technology or product being researched, developed or commercialised by the City or to any other aspect of any matter associated with or used, developed or conceived by any means whatsoever by you during employment.

Items will be deemed as Intellectual Property when produced by you while performing your duties, including without limitation, information recorded on computer disc, electronic storage device, audio tape or in writing will vest in and become City property immediately and the worker will have no right to use in any way for the workers benefit.

Workers must ensure that all Intellectual Property created or accessed during employment recorded on computer disc or electronic storage device is written in a data format which is compatible with the computer equipment used by the City so that it may be readily accessed by the City using City equipment in its possession.

Intellectual Property obligations will continue to apply post-employment. Where a worker has left the employment of the City, that worker is not permitted to take with them the Intellectual Property and any records containing the City's information.



## 4.8 Media Enquiries and providing Public Comment

Being a public facing organisation, the delivery of correct key messages to the media, with a level of confidentiality, is vitally important, and can only be done by the most senior spokespeople at the City.

The Mayor and CEO are the only two individuals authorised to address the media on behalf of the City, unless they have specifically delegated this authority to another worker or Elected Member.

The City's Policy covers all forms of traditional and contemporary written, recorded, televised, radio and online media and extends to communicating with reporters and journalists.

A worker may be approached by the media for comment about City activities. In the first instance, refer to your people leader or the relevant media enquiries officer. This includes providing "on" or "off the record" comments to the media on matters pertaining to the City and Council.

The City of Stirling has pages on various social media channels. Only those authorised to add content to these pages may do so. Otherwise, social media is not an approved form of communication.

Workers who make disparaging remarks, display offensive/inappropriate images about the City, its workers, Elected Members, contractors, consultants on any private social media sites or on CoSi will be in breach of this Code. In addition, any comments or opinions made directly against the City or views of the City on any private social media channels or on CoSi that can reasonably connect the worker to the City and may harm the reputation of the City will be of breach of this Code.

Such conduct may constitute a breach of the Code, employment contract and / or relevant Policies, Management Practices or Procedures and may be reportable to the PSC or CCC.

More information can be found in the City's Media and Communications Policy.

## 4.9 Financial Responsibility

Employees who handle public monies or manage finances as part of their duties must act with diligence and integrity. Employees who spend money on behalf of the City must retain a record of all receipts and documents as proof of the expenditure.

Corporate credit cards are issued to authorised individuals for the payment of specified business expenses in accordance with the City's procurement policies and credit card procedures.

Any financial transactions must comply with all City policies and audit directives regarding the City's finance.

## 4.10 Tendering and Contracts

The City is committed to 'best value for money' when procuring goods and services through any competitive process involving the calling of expressions of interest, public tenders and quotations. The CEO has delegated authority to employees to purchase goods and services on behalf of the City. Those exercising the authority must confirm to the purchasing threshold requirements detailed in the Procurement Policy. We expect that employees will build trusted and honest relationships with suppliers and that all business conduct will be managed in a fair and equitable manner.

The City has internal processes that are designed to ensure the City achieves value for money and complies with the requirements of the Local Government (Functions and General) Regulations and City policy. Employees must use City processes for procurement to ensure that they achieve value for money and comply with all requirements.

## 4.11 Contractual and Other Commitments

Signing a contract or entering a commitment on behalf of the City, is a serious matter. Employees should not enter into any agreement or commitment unless authorised to do so in accordance with the delegated authority.

A full understanding of the nature and extent of the commitment should be made in all arrangements or transactions which have legal consequences. Workers should obtain advice or clarification from the Strategic Sourcing and Contracts team, or their People Leader who can, if needed, seek outside legal advice.

# Complaints







# 5. Complaints

The City takes any alleged and substantiated breaches of the Code seriously and encourages any person who has reasonable grounds to believe an employee, worker or representative of the City has committed a breach of this Code to make a complaint in accordance with the City's policy.

Complaints relating to a potential breach of this Code must be documented on a Code of Conduct Complaint Form or in writing by email from the person alleging the breach.

This form is available on CoSi. Alternatively, workers can request a copy of the form from their People Leader, the Human Resources team, the Internal Auditor or the Governance team.

Frivolous or vexatious claims, reports or complaints alleging breaches of the Code may lead to disciplinary action in accordance with the Employee Discipline Management Practice.

If you see it, report it! As a Local Government worker, you have a duty to report any possible breaches of the code.

## 5.1 Breaches of the Code

Breaches, or suspected breaches, of the Code will be taken seriously.

In the cases of suspected misconduct or suspected serious misconduct, the City may be required to report to the Public Sector Commission (PSC), or the Corruption and Crime Commission (CCC) in accordance with the City's obligations under the *Corruption, Crime and Misconduct Act 2003 (CCM Act)*.

Workers must report any breach or potential breach of this code, even if they do not have all the facts. The City will follow the relevant Policy, Management Practice, and/or Procedure to appropriately manage breaches or suspected breaches.

## 5.2 Worker Support

### What support is available?

We want workers to feel safe to speak up without fear if they feel that something is not right. Workers do not need to know all the facts to report a concern, however the City will ensure that the process is fair for everyone involved. The City has 'zero tolerance' to retaliation and we want to make it safe for everyone who seeks support. All concerns will be handled in a fair, timely and appropriate manner.

Workers can contact the City's Employee Assistance Program (EAP) for counselling and support. The contact information of our current provider is available on CoSi. Alternatively, workers can contact their People Leader or the City's Human Resources team.

We understand that it takes courage to speak up, so we want to make the reporting process as easy as possible. We will support workers through the process so that they can feel comfortable during a potentially stressful time.

### Your Direct People Leader

Your direct People Leader should be your first point of contact if your concern does not include them.

Alternatively, the Human Resources team will be able to guide you in the right direction. Further detail can be found in the City's Grievance Procedure on CoSi.

### Misconduct, Corruption and Fraud Hotline

The City has a hotline to report suspected misconduct, corruption, or fraud by telephoning (08) 9205 8990 or extension 8990. Relevant details can be left on a voicemail service. It is up to you whether you feel comfortable to leave your contact details. The identity of the caller will be kept confidential, and any allegation of misconduct, corruption or fraud will be appropriately investigated.

Whistleblowing is the disclosure of illegal, immoral, or illegitimate practices. The Corruption, Crime and Misconduct Act 2003 (WA) and the Public Interest Disclosure Act 2013 (Cth) protects witnesses who voluntarily report allegations of misconduct or corrupt behaviour. The CEO must ensure workers who report illegal or unacceptable behaviour are not compromised, disadvantaged, or persecuted in any way.

# Definitions

**Act** – Local Government Act 1995.

**Breach** – breach of the Employee Code of Conduct.

**CEO** – Chief Executive Officer.

**CIS** – Service Desk - City of Stirling Corporate Information Services Service Desk.

**City** – City of Stirling.

**Code** – City of Stirling Employee Code of Conduct.

**Confidential document is a document either:**

- a. marked by the CEO or other employee to clearly show the information in the document is not to be disclosed or marked private and confidential; or
- b. has been provided at a closed meeting; or
- c. is designated as confidential by resolution of Council or Committee.

**Conflict of interest** – a situation in which a person's professional decision-making ability could be, or could be seen to be, influenced by their personal interests.

**Corruption and Crime Commission** – the Commission established under Section 8 of the Corruption, Crime and Misconduct Act 2003.

**CoSi** – the internet or SharePoint site providing employees, and workers with systems access, a central point housing all key information, Management Practices, Procedures, news and other key information.

**Council** – the governing body of the City of Stirling.

**Elected Member** – a person who holds the Office of the Mayor or a Councillor.

**Employee** – a person employed by the City under Section 5.36 of the Act.

**Interest** – refers to an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest. This may include an interest arising from kinship, friendship, or membership of an association.

**Non-employees** – non-employees are individuals not directly engaged by the City such as contractors or subcontractors, employee of a labour hire company assigned to work for the City under a contract of services, an outworker or an agent of the City. This does not include employees, apprentice or trainee, a work experience person, a volunteer or an agent of the City.

**Notifiable gift** – a gift worth between \$50 and \$300, or a gift that is one of two or more gifts given by the same person or company within a period of 12 months that have a total value of not more than \$300.

**People Leader** – a Supervisor, Team Leader, Service Lead, Manager, Director, CEO or any other employee responsible for the direct management or supervision of another employee, contractor, agency worker or volunteer.

**Prohibited gift** – a gift worth \$300 or more, or a gift that is one of two or more gifts given by the same person within a period of 12 months that have a total value of \$300 or more.

**Regulation** – refers to the Local Government (Administration) Regulations 1996 (WA) and the Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021 (WA).

**Worker** – anyone undertaking work as an employee, contractor or subcontractor, employee of a labour hire company assigned to work for the City under a contract for services, an outworker, an apprentice or trainee, a work experience person or intern, a volunteer or an agent of the City.

**Workplace** – Includes any place where the business of the City is conducted or where the City employees or workplace participants are representing themselves as employees or workplace participants of the City.



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This information is available in alternative formats on request. Please contact the Customer Contact Centre on (08) 9205 8555.