



**CITY OF SOUTH PERTH**

# EMPLOYEE CODE OF CONDUCT

ALSO INCORPORATING VOLUNTEERS, CONTRACTORS  
AND AGENCY WORKERS

2026



City of  
South Perth





## ACKNOWLEDGEMENT OF COUNTRY

The City acknowledges the Whadjuk people who have lived in this beautiful area for thousands of years as the traditional owners and custodians of this land.

South Perth and surrounds have been home to the Whadjuk Bibbulmun Noongar people for thousands of years. The City of South Perth is committed to our vision for reconciliation, and we will continue to embed key reconciliation strategies that create space for meaningful change. We will continue to work with our local community to make progress together. Whadjuk Noongar people make significant contributions to our community. We recognise the continued importance of improving connections and forming stronger relationships with First Nations people in our local government area. See the City of South Perth Reconciliation Plan for more information.

*Kaardjinyin Nidja Nyungar Whadjuk Boodjar Koora Nidja Djining Noonakoort kaardijin wangkiny, maam, gnarnk and boordier Nidja Whadjul kura kura.*

*We acknowledge and pay our respects to the traditional custodians of this land, the Whadjuk people of the Noongar nation and their Elders past and present.*

*A city of active places and beautiful spaces*

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## ACCESS AND INCLUSION

This document is available in alternative formats upon request, including Braille, large print, electronic and audio format on CD. National Relay Service (NRS): 133 677. Translating and Interpreting Service (TIS): 131 450.

# MESSAGE FROM THE CITY OF SOUTH PERTH CHIEF EXECUTIVE OFFICER

**At the City of South Perth (the City), our Employee Code of Conduct (the Code) sets out the standards of behaviour that guide how we work, how we make decisions, and how we treat one another and our community. It reflects our shared commitment to integrity, professionalism and acting in the public interest.**

This Code is required as the *Local Government Act (1995)* (the Act) and Local Government (Administration) Regulations 1996 (the Regulations) state that the CEO must prepare and implement an Employee Code of Conduct for employees.

This Code is intended to support a workplace that is safe, ethical and inclusive, values aligned and where we treat one another with fairness and professionalism, where we work collaboratively to achieve shared goals, and where we take responsibility for our actions and decisions. It provides a clear framework for expected conduct and behaviours, and helps you navigate complex or challenging work situations with confidence.

The Code applies to all City workers and underpins every interaction we have, for example interactions with our colleagues, Council Members, contractors, volunteers as well as members of the community.

I encourage you to read this Code carefully, reflect on how it applies to your role, and use the Code as a practical guide in your day-to-day work. If you are unsure about the right course of action, please seek advice and ask your direct supervisor. By following this Code, we strengthen trust and integrity within our organisation and ensure we continue to deliver positive outcomes for the community we serve.

# OUR VALUES

Our values are important to us. It is expected that all employees, volunteers and contractors understand and live our values daily to ensure we continue to create a great place to work.

Our values guide our workplace conduct and decision making and they underpin the way in which we interact with each other and our community. It is expected that all City employees, volunteers and contractors are role models for and demonstrate the City's values and behaviours.



## ABOUT THE EMPLOYEE CODE OF CONDUCT

### STATUTORY REQUIREMENT

This Employee Code of Conduct addresses the requirement within the *Local Government Act 1995* (the Act) for the Chief Executive Officer (CEO) to prepare and implement a Code of Conduct.

This Employee Code of Conduct should be read in conjunction with the Act and associated regulations. All employees, volunteers and contractors should ensure they are aware of their statutory responsibilities under the Employee Code of Conduct and other relevant legislation.

### WHO IS COVERED BY THE EMPLOYEE CODE OF CONDUCT?

This Employee Code of Conduct applies to every City of South Perth employee, volunteer, contractor and agency worker.

Contractors and consultants who are agents of, or working on behalf of the City, are also required to act consistently with the Employee Code of Conduct. Independent contractors and consultants must be made aware of the Employee Code of Conduct as it applies to their dealings.

This Employee Code of Conduct applies to every interaction that we have with internal and external stakeholders, including other employees, Council Members and all members of our community. We want our community to know how we expect our people to behave and that we encourage them to speak up about any inconsistencies within the Employee Code of Conduct.

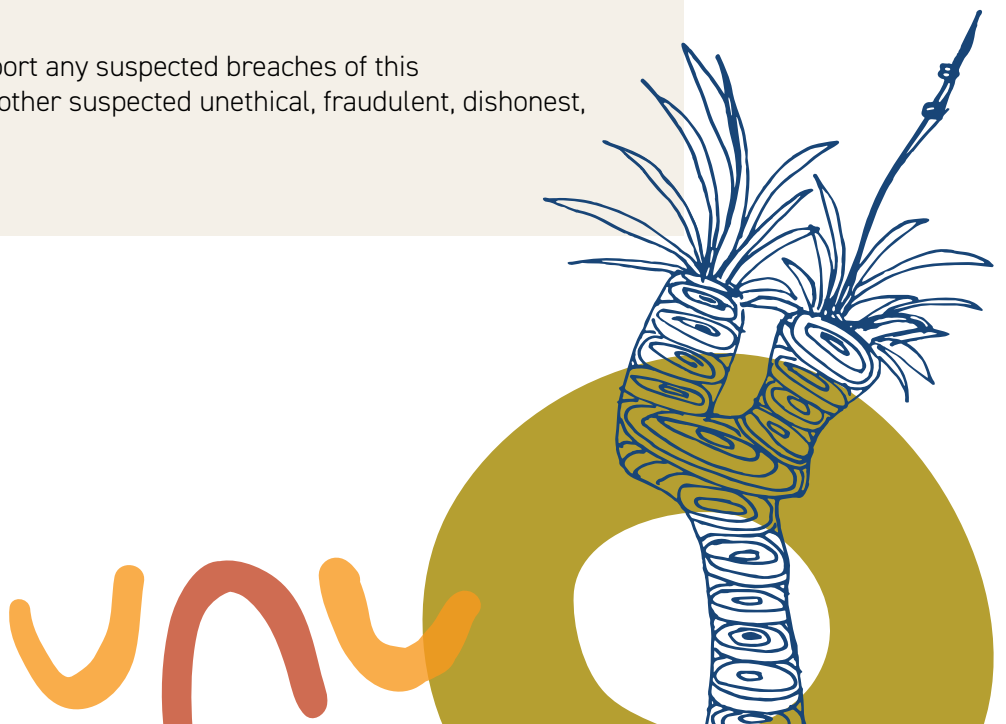


# YOUR RESPONSIBILITIES

**Whatever your role within the City, we expect you to commit to the Employee Code of Conduct in the work you do every day.**

Your responsibilities under this Employee Code of Conduct are to:

- Understand the risks in your role and how to manage them
- Seek advice when the best course of action, or information in this Employee Code of Conduct or other documents is not clear
- Complete the online Employee Code of Conduct training on commencement with the City and the annual refresher training in a timely manner
- Make sure any volunteers agency workers, contractors or consultants you work with are aware that we are bound by this Employee Code of Conduct and they should also act accordingly
- Follow all City policies, management practices and procedures and understand how they relate to your role
- Speak up. It is your duty to report any suspected breaches of this Employee Code of Conduct or other suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour
- Follow the law.





## LEADERSHIP RESPONSIBILITIES

We expect our leaders to promote our values, standards, and act as role models. The City's CEO, Directors, Managers, Coordinators and Supervisors are all expected to show leadership in following our Employee Code of Conduct and maintaining a culture of commitment to ethics and compliance, a culture where it is normal to do the right thing and where people feel comfortable and confident in speaking up.

As a Supervisor, Coordinator, Manager, Director or CEO you have the same responsibilities as an employee, plus you must:

- Understand the risks that apply in your Business Unit and the procedures to mitigate them
- Ensure your local induction process includes briefing new employees on this Employee Code of Conduct, the risks in their role and where they can seek advice and support
- Ensure your team members have adequate time to complete Employee Code of Conduct and other behavioural or culture training
- Ensure your team understands the procedures to follow to avoid any breaches of the Employee Code of Conduct, including recording of gifts and hospitality and actual or perceived conflicts of interest
- Report any breaches of the Employee Code of Conduct. Never take it upon yourself to investigate a matter in isolation.

## SEEK ADVICE AND SPEAK UP

If you would like any advice on a matter relating to the Employee Code of Conduct or wish to report a concern, please speak with your line manager, your Director or the People & Performance team. Alternatively, you can contact one of the City's Public Interest Disclosure Officers (Director Corporate Services, Manager People & Performance or Manager Governance) who can assist you to make a public interest disclosure which is treated with discretion and confidentiality.

Early detection is important as it gives the City a chance to review a potential or actual breach of the Employee Code of Conduct, so if you know of or suspect that someone is violating the Employee Code of Conduct or suspect other behaviours, you have a duty to report it.

The City will not tolerate any form of retaliation directed against anyone who speaks up and raises a concern in good faith. Any act or threat of retaliation is against this Employee Code of Conduct and will be treated seriously.



# COUNCIL MEMBERS

Local governments in Western Australia are independent, elected bodies operating under the *Local Government Act 1995* to manage community services, infrastructure, and local laws. Council comprises of eight Council Members and one Mayor who are elected by residents and ratepayers of the City. The role of Council as outlined in Section 2.7 of the Act is to:

The council governs the local government's affairs and, as the local government's governing body, is responsible for the performance of the local government's functions.

- (1) The council's governing role includes the following —
  - (a) overseeing the allocation of the local government's finances and resources;
  - (b) determining the local government's policies;
  - (c) planning strategically for the future of the district;
  - (d) determining the services and facilities to be provided by the local government in the district;
  - (e) selecting the CEO and reviewing the CEO's performance;
  - (f) providing strategic direction to the CEO.

- (2) For the purpose of ensuring proper governance of the local government's affairs, the council must have regard to the following principles —
  - (a) the council's governing role is separate from the CEO's executive role as described in section 5.41;
  - (b) it is important that the council respects that separation.
- (3) The council must make its decisions —
  - (a) on the basis of evidence, on the merits and in accordance with the law; and
  - (b) taking into account the local government's finances and resources.
- (4) The council must have regard to the need to support an organisational culture for the local government that promotes the respectful and fair treatment of the local government's employees.



## COUNCIL MEMBERS

The role of a Council Member is specified in Section 2.10 of the Act as follows:

- represents the interests of the electors, ratepayers and residents of the district and takes account of the interests of other persons who work in, or visit, the district; and
- participates in the deliberation and decision-making of the local government at Council and Committee Meetings; and
- facilitates communication with the community about Council decisions; and
- facilitates and maintains good working relationships with other Councillors, the Mayor or President and the CEO; and
- acts consistently with section 2.7(3) to (5); and
- maintains and develops the requisite skills to effectively perform their role.

## THE MAYOR

The role of the Mayor is specified in Section 2.8 of the Act as follows:

- provides leadership and guidance to the Council and Council Members, including guidance as to the roles of the Council and Council Members; and
- acts as the principal spokesperson for the local government, and carries out civic and ceremonial duties on behalf of the local government, at all times acting consistently with Council decisions; and

- presides at meetings of the Council, ensuring that meetings are orderly and held in accordance with the Act; and
- promotes, facilitates and supports positive and constructive working relationships among Council Members; and
- liaises with the CEO on the local government's affairs and the performance of its functions.

## INTERACTIONS BETWEEN COUNCIL MEMBERS AND EMPLOYEES

The CEO and nominated Leadership Team members/ nominated support employees as approved by the CEO are the only City employees who are able to liaise with Council Members directly and vice versa.

Council Members do not have the power to direct or influence Employees (or attempt to) in the carrying out of their day-to-day activities. Council Members have no role in employment matters including recruitment and selection, performance assessment, promotions and/or remuneration of employees. If you are contacted by a Council Member you must raise this with your Business Unit Manager or Director immediately.

Council Members also have their own Code of Conduct for Council Members, Committee Members and Candidates which can be found on the City's website.

# PEOPLE AND BEHAVIOURS

This section of the Employee Code of Conduct sets out the standards of behaviour the City expects from you, and that you have the right to expect from your colleagues. We expect professionalism from our employees, volunteers and contractors at all times and their behaviour should reflect the City's values and contribute to creating and maintaining an inclusive, safe and supportive workplace.





## **PERFORMANCE OF DUTIES**

When at work, you are required to give your whole time and attention to the City and ensure your work is carried out safely, efficiently, economically and in accordance with your position description, policies and management practices and all obligations under relevant law.

You are to comply with any lawful and reasonable direction given by your Supervisor, Coordinator, Manager, Director or CEO whether or not you agree with or approve.

## **BULLYING, DISCRIMINATION AND HARASSMENT**

The City takes a 'zero tolerance' approach to any forms of discrimination, bullying or harassment. Our values and practices help us to maintain a culture where employees, volunteers and contractors feel safe to work and collaborate effectively with others.

Feedback, criticism and challenge must always be delivered in an appropriate and respectful manner. We all need to be aware of cultural sensitivities and be aware of and understand our differences.

Your responsibilities:

- Treat others with respect, courtesy and professionalism at all times
- Refrain from behaviours that constitute discrimination, bullying or harassment and report poor behaviours immediately to your line manager or People & Performance
- Be inclusive, supportive and collaborative in your interactions with other employees, volunteers, contractors and our community
- Consider the impact your actions could have on others and ensure your actions are in line with City values, policies, management practices and procedures.

## **RESPECTING AND VALUING DIVERSITY**

The City recognises that the workforce is one of our most valuable resources and we strive to represent the community we serve.

We are committed to offering equal opportunities to everyone. As a City of South Perth employee, you should strive to be objective and ensure personal feelings, prejudices and preferences do not influence your employment related decisions including hiring, evaluation, promotion, training and development and discipline. These decisions must be solely based on objective factors such as merit, qualifications, performance, facts and business objectives.

We value diversity and do not discriminate in any way based on age, physical or mental disability, race and colour, sex, sexual orientation, pregnancy, breastfeeding, marital status, family or carer responsibilities, gender identity, intersex status, religion, political opinion, national extraction and social origin.

## **WORK HEALTH AND SAFETY**

The City has a duty of care to ensure a safe and healthy work environment for its employees, volunteers and contractors.

To ensure we have a healthy and safe work environment for everyone, you need to:

- Cooperate with all work health and safety policies and procedures of the City
- Take all reasonable care to protect your own health and safety
- Ensure your personal actions do not impact on the health and safety of others
- Participate in all work health and safety training
- Be fit to perform the inherent requirements of your role at all times.

## DRUGS, ALCOHOL AND SMOKE-FREE ENVIRONMENT

The City is committed to providing a safe work environment which is free of all harmful effects of drugs, smoke and alcohol.

Providing a safe work environment includes providing a smoke-free workplace. This means the use of all tobacco products, including anything that resembles a tobacco product (e.g. e-cigarettes) is prohibited in/on City facilities, buildings, properties, workplaces and within 10 metres of an entrance or window/air-conditioning intake.

Employees, volunteers and contractors must be fit to perform their duties and not be affected by alcohol, drugs or other substances while at work. If any persons are affected by alcohol or other drugs, they should not attend work premises under any circumstances. Employees may be subjected to drug and alcohol testing in accordance with the Fitness for Work Management Practice.

You may be permitted to attend events where alcohol is served as approved, however, you must not return to work premises if you are under the influence of alcohol and must conduct yourself at all times in accordance with this Employee Code of Conduct.

## DRESS STANDARDS AND PERSONAL PRESENTATION

A professional and positive public image is important, therefore you must ensure you are dressed appropriately for work at all times and maintain an acceptable standard of personal hygiene. This includes when you may be working from home and representing the City via online meetings.

If provided with a uniform, you are required to wear it. This may be because your role is customer facing or it could be that it forms part of your work health and safety personal protective equipment (PPE) requirements.

Employees, volunteers or contractors who are not required to wear a uniform and/or PPE should wear clothing that is conducive to a professional business working environment that is fit for purpose and non-offensive.

All employees are required to wear their name badge when interacting with external customers.

Once a week, the City has casual dress Friday where employees are not required to wear a uniform, and those who dress to a professional standard are able to dress casually. If an employee has meetings with external stakeholders or is in a public facing role, normal business attire should be worn. Those employees who are required to wear a uniform as part of their PPE are not eligible to participate in casual dress Fridays. Certain articles of clothing may only be worn on casual Friday.

Other items of clothing may not be appropriate in any circumstances whilst in the workplace. These items include ripped jeans, strap tops/vests/dresses, shorts and skirts above mid-thigh and slides. If you are unsure if an item of clothing is appropriate for work, it is best to use caution and avoid wearing it in the workplace and seek guidance from your direct supervisor or People & Performance.

## USE OF CITY ASSETS

The City allocates work-related assets and resources to allow employees, volunteers and some contractors to work efficiently and effectively. We all have a responsibility to ensure the appropriate use of assets and resources and only use them for work-related activities. These assets will remain property of the City.

Assets and resources can be physical and non-physical property including:

- The office space, facilities and buildings we work in
- Technology including software and hardware such as laptops and mobile phones
- City vehicles
- Machinery and equipment
- Security cards
- Credit cards
- Office supplies
- Intellectual property.





Some employees, volunteers or contractors may be allocated additional assets or resources to ensure they are fully equipped to carry out the duties of their role. This does not make that asset or resource an entitlement, and such assets and resources may be revoked at any time with notice, including City vehicles.

You must:

- Use City resources effectively and honestly to perform your role efficiently
- Use all assets and resources in accordance with the relevant City policy, management practice, procedure or guideline
- Not misuse City resources or allow the misuse by another
- Not use City resources for private purposes, including the removal of items from City premises unless properly authorised to do so
- Not loan, sell or give away any City asset without proper authorisation
- Ask your Supervisor, Coordinator, Manager, or Director if you are unsure at any time if the use of an asset or resource in a particular situation is permitted.

Any use of a City asset or resource for any purpose other than in the performance of duties, without authorisation, is considered a breach of the Employee Code of Conduct and may result in disciplinary action.

## **USE OF INFORMATION TECHNOLOGY RESOURCES**

All employees and authorised users are required to acknowledge and agree to abide by the City's Responsible Use of Information Technology Management Practice.

By logging into the City's IT network you agree to:

- Only use City information technology for purposes that are legal, authorised, and in line with your duties
- Not engage in the inappropriate use of City information technology resources

- Not conduct any personal business activities using City information technology resources
- Not modify or disable any configuration set by the City unless instructed to do so
- Limit your amount of personal use of information technology and understand City resources are not private and may be monitored, retained or reviewed
- Keep all electronic communication professional and in line with the Employee Code of Conduct and relevant management practices.

## **SECURITY**

The City has security protocols in place to protect employee, volunteer and contractor safety, as well as the security of our assets and information. In order to protect our employees, assets and information, it is important that you:

- Report any suspicious activities immediately
- Not share any passwords or access cards, keys or codes with others
- Keep building access cards and keys in a safe place and report any lost items as soon as possible
- Ensure all assets and information in your possession are always secure, including electronic devices.

## **ONGOING CONFIDENTIALITY**

Employees, volunteers, contractors and agency workers must not disclose sensitive and/or confidential information once their employment or work arrangement ends with the City. This includes information that is commercially sensitive, personal information about our customers or other City workers, information communicated in confidence while working at the City, as well as any other information not already in the public domain. Unauthorised disclosures by exiting workers can lead to serious penalties, including civil, criminal or disciplinary action.

## PERSONAL COMMUNICATIONS AND SOCIAL MEDIA

Personal communications and statements made privately in conversation, written, recorded, emailed or posted on personal social media, have the potential to be made public, whether intended or not.

You must not disclose information, make comments, or engage in communication about or on behalf of the City, Council Members or employees or contractors unless doing so as part of your duties and authorised to do so.

Unauthorised personal comments may breach the Employee Code of Conduct and may result in disciplinary action.

## OUTSIDE EMPLOYMENT

Employees can undertake paid or unpaid work, including volunteer and board positions, outside of their role at the City if there is no conflict of interest and their duties with the City are not adversely affected. If you wish to undertake outside employment, you must first request approval as per the Outside Employment Management Practice.

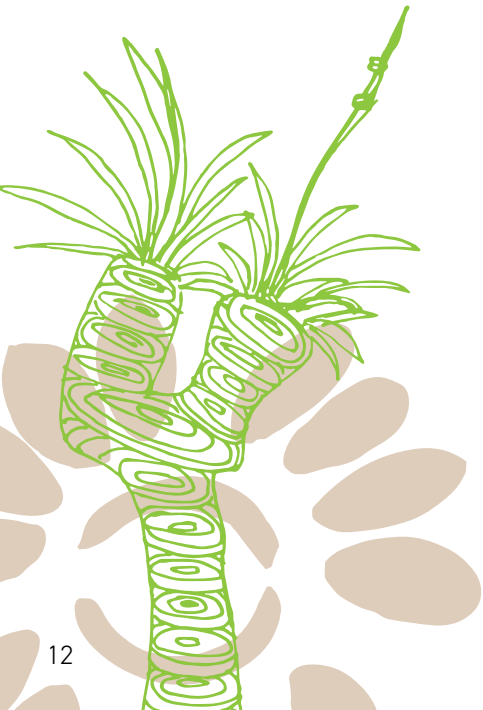
Employees should also ensure they are maintaining their work health and safety as well as fitness for work responsibilities when considering undertaking outside employment.

## MISCONDUCT, FRAUD AND CORRUPTION

### What is Misconduct?

Misconduct is when an employee fails to behave or conduct themselves in accordance with the City's Employee Code of Conduct, the employee's position description, the employment contract, City policies and management practices, as well as statute or common law provisions applicable to the employee and City relationship. Examples of these breaches may include, though not limited to:

1. Failure to comply with the reasonable direction of a Supervisor, Coordinator, Manager, Director or CEO.
2. The use of profane, abusive or offensive language or other unbecoming conduct.
3. Excess absences from work, failure to attend rostered shifts or duties without appropriate notification, or repeated lateness in reporting to work or returning from breaks.
4. Misuse of the City's computer and other electronic communication systems in accordance with the relevant IT policy or management practice.
5. Misuse of the City's property, assets and/or vehicles.
6. Falsification of timesheets.
7. Purchase, sale, possession or use of illegal drugs, substances or weapons at any time on City premises, or drinking, administering or being under the influence of illegal drugs, alcohol or intoxicants in the workplace.
8. Careless or negligent action that could endanger an employee's own safety and/or the safety of others.





### **What is Fraud?**

Fraud is dishonest activity that causes actual or potential financial loss to any person or the City including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity.

Examples of fraud include:

1. Theft or obtaining property, financial advantage or any other benefit by deception.
2. Providing false or misleading information, or failing to provide information where there is an obligation to do so.
3. Making, using or possessing forged or falsified documents including timesheets.
4. Manipulating expenses, invoices or timesheets.

### **What is Corruption?**

Corrupt conduct (corruption) occurs when an employee uses or attempts to use their position for personal advantage. Corruption may also constitute any behaviour that may involve fraud, theft, the misuse of position or authority, or other acts which are unacceptable to the City, its customers or the general community. It may also include other elements such as breaches of trust and confidentiality. Examples of corruption include:

1. Conflict of interests.
2. Dishonestly using influence.
3. Blackmail.
4. Failure to disclose gifts or hospitality. Hospitality includes offers of meals, invitations to events, travel or accommodation.
5. Acceptance of a bribe(s).
6. Unauthorised release of confidential, private information or intellectual property.

The City's expectation and direction is that no item of equipment may be removed from City premises and/or used for personal use and/or benefit. Should an employee wish to remove an item, they will need to speak with the relevant Director and written authorisation from that Director will be required.

Should an item become available for employees to take for personal use, and it is approved by the relevant Director, all employees in the relevant area must be afforded the same opportunity to request/accept the item.

The City suggests that in the interests of transparency an email is used to request interest in the item. Examples of where a request is required include, though not limited to:

- The use of the workshop car washing facilities for non-City vehicles.
- The removal of small plant, equipment, machinery or other City assets including vehicles and trailers.
- The removal of disposed items at the Recycling Centre or Reuse Shop.
- The removal of stationery, fans or personal hygiene items.
- The removal of City records and documents.
- The removal of catering stock and/or equipment.
- The removal of computer equipment (unless directed by a Manager/Director).
- The removal of construction materials and waste.
- The removal of mulch and nursery plants and related items.

The City will investigate and manage all reported cases of fraud, corruption and misconduct in accordance with the City's Employee Code of Conduct and Employee Discipline Management Practice, as well as in line with applicable legislative requirements.

# GOVERNANCE



## CONFLICTS OF INTEREST

Conflicts of interest may arise when your personal relationships, participation in external activities or an interest in another venture could influence or be seen to influence your business decisions while employed, volunteering or undertaking contract work at the City.

You must avoid all actual or perceived conflicts of interest where possible.

It is imperative that as an employee, volunteer or contractor you:

- Do not engage in private work with or for any person or body with an interest in a proposed or current contract with the City, without first disclosing the conflict of interest. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be diligently avoided
- Disclose any actual or perceived conflicts of interest before dealing with relatives or friends when participating in recruitment or discretionary functions, as well as disqualifying yourself from dealing with those persons
- Conduct yourself in an apolitical manner and refrain from political activities which could cast doubt on your neutrality and impartiality in acting in your professional capacity.

**Ask yourself these six questions when assessing whether you have an interest to disclose:**

1. **Public duty vs Private interest** – Do I have a personal or private interest that may conflict with my public duty?
2. **Potential** – Could there be a benefit(s) for me now or in the future that could cast doubt over my objectivity?
3. **Perception** – How will my involvement in the decision or action be viewed by others? Are there risks associated for me and/or the City?
4. **Proportion** – Does my involvement in the decision appear fair and reasonable in the circumstances?
5. **Presence of mind** – What are the consequences if I ignore a conflict of interest? What if my involvement was questioned publicly?
6. **Promises** – Have I made any promises or commitments in relation to the matter? Do I stand to gain or lose from the proposed action or decision?

If you are not sure if you have a conflict of interest, please discuss the matter with your direct supervisor or Business Unit Manager.





## GIFTS AND HOSPITALITY

It is important to do the right thing and to be seen doing it. For this reason, the City discourages employees, volunteers and contractors from accepting gifts and hospitality. You should never allow gifts or hospitality (offered or received) to influence business decisions or to be seen to be influencing decisions.

Employees, volunteers and contractors of the City must not receive prohibited gifts or hospitality from any persons associated with the City.

<p><b>ACCEPTABLE GIFTS AND HOSPITALITY</b> \$49 and under</p>	<p>Can be accepted without reporting it. Carefully consider the appropriateness of accepting any gifts, regardless of the value.</p>	<p>Once the acceptance of a gift has been disclosed, it will be recorded in the City's Record Keeping System and will be used as required by law and for reporting purposes, and will be retained and disposed of in accordance with the City's Recordkeeping Plan.</p> <p>If you are ever unsure if it is appropriate to accept a gift, it's important you seek clarification prior to accepting the gift or hospitality.</p>
<p><b>NOTIFIABLE GIFTS AND HOSPITALITY</b> \$50 - \$299</p> <p><b>Multiple</b> gifts from the same person/body within a 12-month period which total between \$50 and \$299.</p>	<p>Employees are required to notify the CEO via the Governance Business Unit within 10 days of accepting the gift, using the gift disclosure form.</p>	
<p><b>PROHIBITED GIFTS AND HOSPITALITY</b> Over \$300</p> <p><b>Multiple</b> gifts from the same person/body within a 12-month period which total over and \$300.</p>		<p>Cannot be accepted.</p>

## USE OF FINANCES

The CEO has delegated authority to some employees to purchase goods and services on behalf of the City. We are expected to act responsibly and exercise sound judgement with respect to matters involving the City's finances. You must ensure you abide to the purchasing thresholds and processes as outlined in the City's Procurement, Purchasing and Invoice Approval management practices and always seek best value for money, as well as only use City finances within the scope of your authority.

Employees who spend money on behalf of the City must retain a record of all receipts and documents as proof of the expenditure. All audit directives must be complied with.





## **FINANCIAL RESPONSIBILITY**

All employees, volunteers and contractors will apply the principles of disclosure of financial interest as contained within the Act.

Employees who have been delegated a power or duty, or have been nominated as 'designated employees' or provide advice or reports to Council or Committees, must ensure that they are aware of, and comply with, their statutory obligations under the Act.

## **INTELLECTUAL PROPERTY**

The title to intellectual property in all duties relating to contracts of employment will be assigned to the City of South Perth upon its creation unless otherwise agreed by separate contract.

## **MEDIA ENQUIRIES AND PUBLIC COMMENTS**

The delivery of correct key messages is important and must only be done by the approved senior spokespeople at the City. The Mayor and the 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 employee. This covers all forms of communication, including communications with reporters and journalists.

As an employee, volunteer or contractor you must not engage in commentary of any kind relating to the City, including on social media.

If contacted by reporters or journalists you must direct and report the enquiry to the Marketing and Communications team regardless of whether information has been exchanged.

## **RECORDS, ACCESS TO AND USE OF INFORMATION**

All City employees are required to manage corporate information in accordance with the *State Records Act 2000*, the City's Recordkeeping Plan and corporate recordkeeping procedures.

Members of the public may access information that by law, is required to be made available by

the City, such as requests for information under the *Freedom of Information Act 1992*.

Employees, volunteers and contractors may be privy to confidential or privileged information and we expect all persons to use this information appropriately.

Confidential information must not be given to any unauthorised person or body or used inappropriately.

You must not use information obtained in the course of your employment or contract work to the detriment of the City.

All employees, including volunteers, contractors and agency workers must:

- Not access, use, or disclose information held by the City except as directly required for, and in the course of the performance of their duties
- Handle all information obtained, accessed, or created in the course of their duties responsibly, and in accordance with this Employee Code of Conduct, the Recordkeeping Plan and corporate recordkeeping procedures
- Exercise discretion when accessing confidential, private, or sensitive information
- Disclose information if the disclosure is authorised by the CEO or delegate or is permitted by law
- Not access, use or disclose information to gain improper advantage for yourself or another person or body, in ways which are inconsistent with your obligation to act impartially and in good faith, or to improperly cause harm, detriment or impairment to any person, body, or the City.

## **IMPROPER OR UNDUE INFLUENCE**

Employees, volunteers and contractors will not take advantage of their position to improperly influence Council Members, employees or any other person in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.





Employees, volunteers and contractors must also not take advantage of their position to improperly disadvantage or cause detriment to the City or any other person.

**BEING IMPARTIAL AND APOLITICAL**

To protect the integrity of the City all employees must be impartial and apolitical.

Employees should remain uninvolved in politics, and decisions must not be inappropriately influenced by political or other considerations.

The use of City resources or property to support political activities is prohibited and current City employees must not campaign in a City of South Perth election.

All decisions should be impartial and made in accordance with statutory obligations and policy considerations.

The process for declaring any interest at a Council or Committee meeting is set out as follows, and in accordance with the *Local Government (Administration) Regulations 1996*.

<p>(a) An employee who has an interest in any matter to be discussed at a Council or Committee meeting attended by the employee is required to disclose the nature of the interest:</p> <ul style="list-style-type: none"> <li>i. in a written notice given to the CEO before the meeting; or</li> <li>ii. at the meeting immediately before the matter is discussed.</li> </ul>
<p>(b) An employee who has given, or will give, advice in respect of any matter to be discussed at a Council or Committee meeting not attended by the employee is required to disclose the nature of any interest the employee has in the matter:</p> <ul style="list-style-type: none"> <li>i. in a written notice given to the CEO before the meeting; or</li> <li>ii. at the time the advice is given.</li> </ul>
<p>(c) A requirement described under (a) and (b) excludes an interest referred to in Section 5.60 of the Act.</p>
<p>(d) An employee is excused from a requirement under (a) and (b) to disclose the nature of an interest because they did not know and could not reasonably be expected to know:</p> <ul style="list-style-type: none"> <li>i. that they had an interest in the matter; or</li> <li>ii. that the matter in which they had an interest would be discussed at the meeting and they disclosed the nature of the interest as soon as possible after the discussion began.</li> </ul>
<p>(e) If an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of (a) or (b), then:</p> <ul style="list-style-type: none"> <li>i. before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and</li> <li>ii. at the meeting the person presiding must bring the notice and its contents to the attention of persons present immediately before a matter to which the disclosure relates is discussed.</li> </ul>
<p>(f) If:</p> <ul style="list-style-type: none"> <li>i. to comply with a requirement made under item (a), the nature of an employee's interest in a matter is disclosed at a meeting; or</li> <li>ii. a disclosure is made as described in item (e)(ii) at a meeting; or</li> <li>iii. to comply with a requirement made under item (f)(ii), a notice disclosing the nature of an employee's interest in a matter is brought to the attention of the persons present at a meeting, the nature of the interest is to be recorded in the minutes of the meeting.</li> </ul>





## REPORTING SUSPECTED BREACHES OF THIS CODE

Employees have a duty to report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour or misconduct. All reports will be investigated confidentially. The following reporting methods are available to employees:

<b>Notification to Supervisor or Business Unit Manager or Director</b>	Notification may be made to an employee's immediate supervisor and/or Business Unit Manager and/or Director in the first instance. Employees may also notify any member of the Leadership Team.
<b>Notification to People &amp; Performance or Work, Health &amp; Safety Teams</b>	Notifications may be made to the People & Performance or WHS Teams.
<b>Notification to the CEO</b>	Notifications may be made to the CEO by email or in writing. Where correspondence is addressed to the CEO and marked 'Private and Confidential' it will not be opened by anyone other than the CEO.
<b>Public Interest Disclosure</b>	A public interest disclosure is a disclosure which is made by a person who discloses to the City information which tends to show alleged past, present or proposed future wrongdoing related to the City. The <i>Public Interest Disclosures Act 2003</i> provides protection for those making such disclosures and those who are the subject of disclosures. A public interest disclosure may be made to one of the City's Public Interest Disclosure Officers. Further information about how to make a public interest disclosure is available at <a href="https://southperth.wa.gov.au/about-us/services/public-interest-disclosures">southperth.wa.gov.au/about-us/services/public-interest-disclosures</a> .
<b>External Agencies</b>	Depending on the nature of the suspected breach, the matter may be reported to external agencies such as the: <ul style="list-style-type: none"> <li>• Public Sector Commission</li> <li>• Corruption and Crime Commission</li> <li>• Ombudsman WA (Reportable Conduct Scheme)</li> <li>• Local Government Inspector</li> <li>• Department of Local Government, Industry Regulation and Safety</li> <li>• WA Police</li> <li>• WorkSafe</li> </ul>

The City will be guided by applicable legislative requirements and management practices in investigating reports of misconduct and breaches of this Employee Code of Conduct.





## OUR COMMUNITY

**The City plays a leadership role in working towards achieving the aspirations of the community and delivers services to meet the needs of our community.**

Every interaction contributes to our vision for a city of active places and beautiful spaces by making a positive difference to our customers. When interacting with our customers and community, we must abide by this Employee Code of Conduct as well as live our values and commit to providing high levels of customer service. We all share accountability for our customers' experiences, and we need to be committed to our service principles as outlined in the City's Customer Service Charter.

You must also:

- Treat all members of the community with respect, courtesy, and professionalism
- Be open, honest, and transparent with members of our community
- Be inclusive of all members of the community by removing or reducing barriers to participation
- As required, interact with children and young people in an age-appropriate and respectful manner, maintaining the highest levels of standard and professional conduct in all interactions.

# BREACHES OF THE EMPLOYEE CODE OF CONDUCT

## SUSPECTED BREACHES OF THE EMPLOYEE CODE OF CONDUCT

Suspected breaches of the Employee Code of Conduct will be dealt with in accordance with the relevant City policies, management practices and procedures, depending on the nature of the suspected breach.

## SUSPECTED UNETHICAL, FRAUDULENT, DISHONEST, ILLEGAL OR CORRUPT BEHAVIOUR

Employees, volunteers and contractors may report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour to their Supervisor, Coordinator, Manager, Director, People & Performance or the CEO in accordance with City's Employee Discipline Management Practice.

In accordance with the *Corruption, Crime and Misconduct Act 2003*, if the City suspects on reasonable grounds that the alleged behaviour may constitute misconduct as defined in that Act, the CEO (or delegate) will notify:

- the Corruption and Crime Commission, in the case of serious misconduct; or
- the Public Sector Commission, in the case of minor misconduct; or
- the Ombudsman WA, in the case of reportable conduct related to the reportable conduct scheme.

Employees, or any person, may also report suspected serious misconduct to the Corruption and Crime Commission or report suspected minor misconduct to the Public Sector Commission.

## EMPLOYEE ASSISTANCE PROGRAM

The City's Employee Assistance Program (EAP) is a free, professional and confidential counselling service, provided by PeopleSense and is available to employees and their immediate family members. The City offers up to six free sessions per annum and the service may be used for personal or work-related matters that may be impacting your wellbeing. PeopleSense can be contacted by dialling 1300 307 912 for a face-to-face appointment or an appointment by phone, or Microsoft Office Teams.

# CONCLUSION

Thank you for taking the time to read our Employee Code of Conduct. It will help you to understand the main risks to you and the City as well as your individual responsibilities, and we hope you will refer to the Employee Code of Conduct whenever you face a new dilemma or need to refresh your memory.

The Employee Code of Conduct cannot cover every situation. If you are unsure of the correct course of action you must seek advice. Your Supervisor, Coordinator, Manager, Director and People & Performance are available to provide advice at any time.

# DEFINITIONS

**Act** means the *Local Government Act 1995*.

**Associated Persons** means a person who is undertaking or seeking to undertake an activity involving a local government discretion or it is reasonable to believe, is intending to undertake an activity involving a local government discretion.

**CEO** means the Chief Executive Officer.

**City** means the City of South Perth.

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

**Contractor** means a person working on behalf of the City via a recruitment agency or organisation.

**Council** means the governing body of the City of South Perth.

**Council Member** means a person who holds the office of an Council Member.

**Employee** means a person employed by the City under Section 5.36 of the Act, including Supervisors, Coordinators, Managers, Directors and CEO.

**Interest** means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and includes an interest arising from kinship, friendship or membership of an association.

**Notifiable Gift** means a gift or hospitality worth between \$50 and \$299, or several gifts given by the same person/body within a period of 12 months that have a total combined value of not more than \$299.

**Prohibited Gift** means any gift or hospitality worth \$300 or more, or receiving several gifts from the same person within a 12-month period that are worth more than \$300 in total.

**Volunteer** means a person who freely and willingly gives time for the common good without financial gain (Volunteering Australia 2015).

**Worker** means a person that carries out work in any capacity for a person conducting a business or undertaking, including employees, contractors, subcontractors, trainees, apprentices, work experience students, volunteers and agency workers.

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