



## Employee Code of Conduct

*Approved by: Executive Management Team, December 2021*

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*(Subject to changes in legislation or prompted by a change in policy and/or procedure)*

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## **Foreword**

A code of conduct provides guidance to those who are bound by it and is a public statement about how a group or organisation expects to be perceived and, ultimately, judged.

This document has been reviewed and developed to ensure alignment with the requirements of the Local Government Act 2020.

Sections of this Code of Conduct have been adapted from the Code of Conduct for Victorian Public Sector Employees with permission from the Victorian Public Sector Commission.

A separate Code of Conduct is applicable to Councillors as elected representatives.

## **Administrative updates**

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a Council unit, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be made with the approval of EMT or where required, resolution of Council.

## **Message from the Chief Executive Officer**

At the City of Greater Bendigo (the City) we have been committed to treating all people equally and nurturing great talent, regardless of gender. This culture is something that we are incredibly proud of, and we believe that it is this supportive environment that has helped us to recruit and retain our exceptional team.

This Code of Conduct has been developed in consultation with key employees to find an agreed way of conducting ourselves and is also strongly linked to the City's Values and Behaviours.

Everyone working for the City must follow the highest standards of ethical behaviour when dealing with customers, the community and each other. Our leaders must encourage a culture where ethical conduct is recognised, valued and followed at all levels.

As employees and representatives of the City, we must be responsible for our behaviour and the use of public resources, and comply with all relevant laws, regulations and City policies and procedures.

It is expected everyone will follow the standards of behaviour in this Code of Conduct.

Our shared commitment to these standards and our compliance with legislative requirements helps us create a positive work environment for all employees and build effective and trusted relationships with elected representatives, a great experience for our customers and a strong reputation in the community.

It is important that we exercise judgement and common sense in complying with the Code of Conduct. Our actions will show pride in ourselves, in those we work with and in the community we serve.

Craig Niemann  
Chief Executive Officer



# 1. Introduction

## 1.1 Purpose

This Code of Conduct (the Code) outlines the standards of behaviour expected of City employees.

The behaviours described in this Code of Conduct are essential to our relationships with the community, Council and fellow employees. Employees are required to familiarise themselves and act in accordance with this Code of Conduct.

## 1.2 The Local Government Act and City Values

The Code has been developed in accordance with the requirements and principles in the *Local Government Act 2020* and in support of the City's Values and Behaviours.

Section 49 of the *Local Government Act 2020* (the Act) requires the Chief Executive Officer to develop and implement a Code of Conduct for members of Council staff must include a gift policy that contains:

- (a) a requirement for members of Council staff to disclose all gifts above a specified level; and
- (b) provisions providing for disclosed gifts to be recorded in a gift register

The Code of Conduct for members of Council staff must include:

- (a) procedures for dealing with alleged and actual breaches of conflict of interest under the Act; and
- (b) provisions for the Chief Executive Officer to take disciplinary action against a member of Council staff.

The City's employee values of "We Lead, We Learn, We Contribute, We Care, We Respond and We Respect" form the chapter headings in this Code. Our agreed behaviours reflect our values and provide foundation for many of the Standards of Conduct set out in each chapter.

These values and behaviours adopted by the City together with the requirements of the Act form the basis of the Code.

### **1.3 Scope**

The Code applies to all City employees whether full-time, part-time, casual or temporary.

Volunteers, students, contractors, subcontractors and consultants are also expected to act in a manner that is consistent with the Code.

The Code always applies when employees are working including representing the City at conferences, training events, on business trips, attending work-related social events and when using social media.

### **1.4 Definitions**

Employee - a person who receives a salary or wages from the City (employed on either a full-time, part-time or casual basis where the nature of the work is permanent/ongoing or temporary for a specified period).

People manager - a person who manages and supervises employees. At the City this typically includes a CEO, Director, Unit Manager, Coordinator, Team Leader, Supervisor, Leading Hand or Foreperson.

Please refer to the City Enterprise Agreement, policies, procedures and other relevant documents on the Intranet for further definitions of terms referred to in this Code of Conduct. If you need further clarification, please seek advice from your people manager or the People and Culture unit.

## **1.5 Roles and responsibilities**

**Employees** - employees are required to take personal responsibility to uphold the Code and demonstrate the values and behaviours in the way they perform their duties or at any other time where they may be considered to be representing the City (including when wearing a City uniform outside of work hours).

**People managers** - people managers have a responsibility to model and promote the Code as well as understand, use and ensure compliance with legislation, the City's Enterprise Agreement, policies and procedures.

People managers ensure employees understand, use and apply the Code (which may change from time to time) and any other relevant legislation, policies, procedures or other information to satisfactorily perform their duties.

People managers also ensure that appropriate development and training is provided to enable employees to act in accordance with the Code.

**People and Culture** - the People and Culture unit support people managers to respond to behaviour that is not consistent with the Code.

## **1.6 Supporting this Code of Conduct**

Employees are expected to identify, and report conduct that is not consistent with the Code.

People managers have a responsibility to make fair, transparent and consistent decisions regarding any allegation of behaviour that does not uphold the Code.

The City will support employees who report genuine concerns of inappropriate behaviour and will manage any reports of suspected inappropriate behaviour in a fair, transparent and consistent manner.

## **1.7 Breaches of the Code of Conduct**

Suspected breaches of the Code will be treated on a case by case basis and all relevant circumstances will be considered. A breach of the Code may lead to disciplinary action in accordance with the [Managing Misconduct Procedure](#) and/or [Managing Underperformance Procedure](#), which may include termination of employment.

## 2. Our value- We Lead



### 2.1 Behaviours which support this value:

- We have a clear vision and understand our purpose
- We encourage each other to be the best we can
- We listen and think things through
- We work together to make a difference in our community

### 2.2 Standards of conduct

#### (a) Leading by example

The City believes that all employees can lead by acting in accordance with the Code.

#### Employees:

- Provide sound advice, deliver high quality services, programs and projects, and encourage best practice.
- Are honest, use powers correctly, identify and deal with inappropriate conduct, avoid conflicts of interest, and develop and maintain public trust.
- Make decisions that are free of bias, consider all relevant facts and ensure policies and procedures are implemented fairly.
- Are transparent, responsible and use resources efficiently.
- Treat others fairly, eliminating discrimination, harassment and bullying, and focus on improving outcomes.
- Are required to carry out lawful and reasonable directions from their people manager.

#### **(b) Decisions and advice**

Employees are expected to make a decision and provide advice that is free of prejudice or favouritism and is based on sound judgement. Before deciding or providing advice, employees must consider relevant information and the impact on the community and other City employees. Any decision will be made in line with the City's policies, procedures and values and not due to personal influence.

#### **(c) Managing employees**

People managers provide a safe, encouraging and supportive work environment that recognises and values diversity, ability and contribution. People managers give their employees a clear sense of direction and purpose.

People managers set realistic goals, timelines and workloads, and provide adequate resources and appropriate information to complete work. People managers trust their employees to manage their work autonomously within the scope of their delegated authority and provide them with adequate support to enable the achievement of objectives.

People managers treat their employees fairly and reasonably during employment processes to ensure employment decisions are based on merit and equal employment opportunity principles. People managers assess performance and provide constructive feedback and development opportunities. People managers address performance issues promptly, directly and confidentially with the employee concerned.

People managers shall consult genuinely with their employees and adhere to industrial and legal obligations.

People managers understand and respond to legitimate concerns of their employees and encourage work arrangements that support their employees to succeed in the workplace.

**(d) Community engagement**

Employees are expected to understand, use and apply the City's community engagement framework when engaging with the community to strengthen the organisation's decision-making processes.

It is essential that the organisation has a consistent approach to community engagement and that it uses effective engagement practices. Any engagement undertaken by employees on behalf of the organisation needs to be conducted in a respectful and meaningful way so that the community is clear about what it can influence and knows that its interests have been considered in the process.

**(e) Employee engagement**

At the City we encourage each other to be the best we can as we work together to make a difference in our community. Part of this commitment to each other is listening and thinking through the contributions of others. Employees seek out the input of those who are affected or likely to be affected by a decision or change.

**(f) Customer service**

Employees are expected to understand, use and apply the City's [Customer Service Charter](#)

To provide quality customer service that responds to the needs of our community, employees must work in collaboration, share responsibility and assist each other. Employees are expected to share information with others and cooperate across work areas, treating each other with respect, courtesy and goodwill.



### 3. Our value- We Learn



#### 3.1 Behaviours which support this value:

- We talk to each other and share information and knowledge
- We nurture ideas, creativity and innovation
- We use feedback to improve our performance
- We work together to continuously improve what we do

#### 3.2 Standards of conduct

##### (a) Improving outcomes

Employees are conscientious and efficient in their work. Employees use their knowledge and expertise to deliver high quality services, as well as identifying opportunities to improve services.

**(b) Performance and development**

People managers develop, coordinate and review Employee Performance and Development Plans in a timely and constructive way which helps to identify where support is required by employees so they can succeed.

**(c) Self-development**

Employees should aim to maintain and improve their work performance and that of their work unit and the City. Employees have a continuing responsibility to maintain and enhance their skills and expertise through induction, commitment to all staff training

The organisation will assist employees by providing equitable access to learning and development opportunities. This may include accessing study assistance, learning new work duties, participating in project work or undertaking internal or external training.

**(d) Contributing to improvements**

Employees are committed to continuous improvement and a better-practice approach to the performance of their work. Employees identify and actively promote appropriate strategies, methods and processes that lead to improved performance and outcomes.

## 4. Our value- We Contribute



### 4.1 Behaviours which support this value:

- We plan and deliver quality programs, projects and services
- We help each other to make informed decisions and take action
- We make the best use of our resources
- We work together as a team

### 4.2 Standards of conduct

#### (a) Work resources

Employees use work resources and equipment efficiently and only for appropriate purposes as authorised by the City.

Employees seek to achieve value for money and use resources in the most effective way possible. Employees identify opportunities for improvement to achieve best possible efficiency and responsiveness.

Work resources include physical, financial, technological and intellectual property. Intellectual property includes copyright, trademarks, registered designs, patents (including patented business systems), and trade, business or company names, and

all other proprietary rights, and any rights to the registration of such rights, including proprietary rights developed or created by employees in the course of their employment.

The City retains ownership of all these work resources.

**(b) Working to clear objectives**

Employees understand the objectives of their position and how these objectives contribute to Council's strategic objectives. People managers provide encouragement, support and a clear sense of direction and purpose. Employees who are unclear about their objectives should meet with their people manager.

**(c) Services to the community**

Employees provide services to the community in an accessible and responsive manner. Employees act within the scope of their delegated authority and the scope of their expertise and in accordance with relevant policies and procedures.

## 5. Our value- We Care



### 5.1 Behaviours which support this value

- We support each other
- We recognise contribution, performance and achievement
- We take responsibility for our actions
- We work together to create a safe and healthy workplace

### 5.2 Standards of conduct

#### (a) Workplace health and safety

The City is committed to providing a safe working environment in which employees can conduct City business and activities. Employees must take reasonable care to ensure their own safety, health and wellbeing (physical and mental health) in the workplace. Employees must carry out their work safely and avoid conduct that puts themselves or others at risk. Employees also have a duty of

care as far as reasonably practicable to fellow employees and members of the community.

The responsibilities of employees include:

- Performing all work safely and following safe work practices
- Identifying hazards and managing risks to health and safety
- Reporting any incidents or hazards immediately
- Taking corrective actions to implement improvements
- Wearing and taking care of any personal protective equipment provided.

All employees are required to comply with the City's health and safety policies and procedures.

#### **(b) Commitment to Child Safe Standards**

The City is committed to be a child safe organisation and has zero tolerance for child abuse in all its forms. The City adheres to the Victorian Child Safe Standards and related legislation including Failure to Disclose, Failure to Protect and Grooming offences. Any allegation or incidence of abuse will be treated seriously and consistently with child protection legislation, Reportable Conduct Scheme, relevant regulations and guidelines and in accordance with the City's policy and reporting framework.

Employees must be aware of their responsibilities under the Child Safe Standards and City Policy to keep children safe and report suspected child abuse.

Employees must maintain the highest standards of professional conduct in their attitude, behaviour and interactions with children and young people and are expected to uphold the rights and best interest of the child in all decision making. A child refers to a person who is under the age of 18.

**(c) Smoking**

Smoking is not permitted in City buildings, workplaces, vehicles and areas designated as non-smoking under Victorian tobacco laws and the City's [Smoke Free Workplace Policy](#)

**(d) Drugs and alcohol**

Employees carry out their work safely and avoid conduct that puts themselves or others at risk. This includes the misuse of alcohol, drugs or other substances when at work or when engaged in work-related activities.

Employees who are on medication that could affect their work performance or the safety of themselves or others must inform their people manager to ensure any necessary precautions or reasonable adjustments to work can be put in place.

**(e) Supporting each other**

Employees work co-operatively with their colleagues. Employees support and learn from each other, appreciate the value of differing opinions, views and working styles and build positive relationships.

**(f) Being responsible for decisions and actions**

Employees make decisions and take actions within the scope of their authority that are lawful and consistent with relevant legislation and the organisation's policies and procedures.

Employees consider any impact of their decisions or actions on the community and other employees.

**(g) Ability to meet essential requirements**

Employees must notify the City of any loss, suspension of or change to a registration, accreditation, licence or other qualification or requirement that affects their ability to meet the requirements of their position or to perform their duties. Disclosure of relevant qualifications for the role should be provided upon request.

#### **(h) Criminal offences**

Employees are required to advise their people manager if they are charged with a criminal offence, which is punishable by imprisonment or, if found guilty, could reasonably be seen to affect their ability to meet the inherent requirements of the work they are engaged to perform.

#### **(i) Remote working arrangements (including working from home)**

A remote working arrangement is a voluntary and cooperative arrangement and may be proposed by either the employee or the City. Each application will be considered on a case-by-case basis.

Working from home or another agreed location is not suited to all positions, particularly those that include:

- Work that requires a high degree of supervision
- Team based project work that requires daily face to face contact with other employees
- A responsibility to supervise other employees
- Customer contact that cannot be conducted over the telephone or via email
- Essential operational services roles that are not desk based and undertaken in the community

#### **Availability:**

Employees must be available to attend team meetings and other staff meetings that may arise within their scheduled work hours. An employee working from home must ensure they are contactable within agreed working hours.

#### **Accountability:**

The quality and quantity of work undertaken while working from home must be clearly established and documented prior to the commencement of a working from home arrangement. If the



manager is not satisfied with the work output the agreement will be reviewed. The employee working from home must comply with all the City's policies, procedures and adherence to the City's values at all times. Overtime paid whilst working from home will be by exception and with managers pre approval.

All mobile devices, hardware, software and access to systems will be supplied by the City, other static devices (monitors, printers etc.) will be at a cost to the employee.

All property provided by the City remains the property of the City. All other equipment and additional expenses will be met by the employee. This can include but is not limited to:

- Electricity
- Wiring
- Air-conditioning and heating
- Furniture (must be OHS compliant)
- Paper and print cartridges (employees are encouraged to undertake printing when they are at City offices)
- Use of home telephone.

Technical support will be made available to the employee via telephone. The IT Department will not visit an employee's home to provide onsite support. If the issue prevents an employee from completing tasks, it is the employee's responsibility to bring the equipment to the office for maintenance or repair.

The City has an obligation under the Occupation Health and Safety Act 2004 to provide, as far as is practicable, a work place that is safe for employees. This obligation extends to those who wish to engage in remote working. All employees also have obligations under the Act to take reasonable care of their own health and safety. Liability

will be limited to an injury sustained while the employee is carrying out City related duties, within the designated home office space.

Refer to the [Flexibility at Work Policy](#).

## 6. Our value- We Respond



### 6.1 Behaviours which support this value:

- We get to know our customers and understand their needs
- We do what we say we will do
- We follow our policies and procedures
- We work together to provide great service

### 6.2 Standards of conduct

#### (a) Information and advice given to elected officials

Employees must provide elected representatives (e.g. Councillors) with relevant information and best professional advice that is relevant to a decision that is being made at the time and that is

thorough, responsive, impartial and as accurate as reasonably possible so that Councillors can make informed decisions and carry out their community responsibilities. This advice should consider implications on the broader policy, services, projects and programs of the City.

**(b) Open to scrutiny**

Employees undertake their duties in an open and transparent manner. Employees maintain timely, accurate and reliable records as required by relevant legislation, policies and procedures. Records are kept in such a way as to ensure their security and reliability and are made available to appropriate scrutiny when required.

**(c) Implementing City policies and procedures**

Employees implement policies and procedures fairly and without bias. Their decisions and actions are consistent with relevant policies and procedures as well as careful consideration of relevant facts.

**(d) Compliance with legislation**

Employees ensure they are aware of and comply with all legislation relevant to the performance of their duties.

**(e) Reporting unethical behaviour**

Employees report workplace behaviour that violates any law, rule or regulation or represents misconduct, mismanagement of public resources, or is a risk to public health or safety or to the environment. The City informs its employees of their rights and responsibilities under 'whistle blower' and similar legislation and City policy.

**(f) Public comment**

Public comment made on behalf of the City will generally be made by the Mayor, the Chief Executive Officer, a Director or Unit

Manager. Employees only make public comment when specifically authorised to do so in relation to their duties. Such comment is restricted to information and professional expertise and avoids the expression of personal opinion. Public comment includes providing information or comment on social media, to newspaper, television or newspaper/magazine journalists, or at speaking engagements.

The Communications unit is the first point of contact for all media outlets. All City staff directly approached by media outlets will, in the first instance, redirect enquiries to the Communications unit. If it is not possible to inform the Communications unit prior to making a public comment, an employee must seek permission from their people manager prior to making comment and inform the Communications unit as soon as possible afterwards.

Employees ensure personal comments do not compromise their capacity to perform their position in an unbiased manner, and that their comments are not seen or perceived to be an official comment.

#### **(g) Social media**

As with other types of media, employees must be authorised by the Communications Branch before they can comment as a City representative on Social Media. The provisions of this Code of Conduct and the Social Media Policy apply when employees use Social Media (Facebook, Twitter, YouTube etc) on behalf of the City. They also apply when employees use social media in a personal capacity where references are made to the City, its employees, Councillors, services, suppliers or City related issues. Any online conduct that is harmful to the City, or to its employees, can amount to misconduct and may lead to disciplinary action.

## 7. Our value- We Respect



### 7.1 Behaviours which support this value:

- We are friendly, professional and treat each other with courtesy
- We recognise and value diverse backgrounds and perspectives
- We gain the trust of others by acting fairly and with integrity
- We work together to create and maintain a positive culture

### 7.2 Standards of conduct

#### (a) Fair and objective treatment

Employees promote an environment that encourages respect.

Employees are fair, objective and courteous in their dealings with the community, stakeholders and each other.

**(b) Valuing equity and diversity**

Valuing and promoting diversity are an important element of demonstrating respect.

Employees follow the spirit as well as the letter of the law relating to the prevention of discrimination, sexual harassment, harassment, bullying and victimisation. Employees create an environment that is free of discrimination, sexual harassment, harassment, bullying and victimisation.

**(c) Acting fairly**

Employees deal with issues consistently, fairly and in a timely manner. Employees use fair criteria and consider all relevant information in dealing with issues.

**(d) Confidentiality**

Employees understand the importance of confidentiality. Confidential information requires special treatment and protection. People who provide confidential information to City employees have the right to expect this information will be treated confidentially. Employees with access to confidential information must ensure it remains confidential, and always act in accordance with legislation and policies relating to dealing with confidential information.

**(e) Honesty at work**

Employees act honestly in the performance of their duties. They are open and transparent when making decisions. They give honest advice and service based on available facts and data. They ensure their advice is up to date.

**(f) Public trust**

Employees seek to build and maintain a high level of trust with the community, stakeholders and other City employees. Employees behave in a manner that does not bring themselves or the City into disrepute.

**(g) Conflict of interest**

Employees declare and avoid conflicts of interest to help maintain community trust and confidence. Employees must monitor their own circumstances and identify their conflicts of interests by considering the situation from the viewpoint of an impartial, fair-minded member of the public.

Being employed by the City is a position of public trust. Employees must only exercise their duties in the service of the community and the City. Employees must never use their position, or be seen to use their position, to serve their own or someone else's private interests. Whether deliberate or due to ignorance, undeclared or poorly handled conflicts of interest and gifts undermine the community's confidence that employees are making impartial decisions and are appropriately and efficiently spending public money.

All employees must comply with the conflict of interest provisions in the Local Government Act 2020 by declaring a general or material conflict of interest and removing themselves from any decision-making process.

An employee has a general conflict of interest if from the viewpoint of an impartial, fair minded person the employees's private interests could result in them acting in a manner that is contrary to their public duty.



A material conflict of interest involves specific relationships or situations that could result in a benefit or loss including (but not limited to):

- A family member of the employee;
- A company the employee or a family member is a Director of;
- A business partner of the employee;
- A person from whom the employee received a disclosable gift.

Employees must also comply with any City or local government guidelines in relation to conflict of interest.

Employee's should discuss any queries related to conflicts of interest with their people manager and/or the Manager Governance. Employees should refer to the [Conflict of Interest Resources on SharePoint](#) and the Conflict of Interest Declaration Form also available on SharePoint.

#### **(h) Using powers at work**

Employees use their power in a responsible way and in accordance with relevant legislation and City policies and procedures. They do not use their powers to provide a private benefit to themselves, their family, friends or associates. They exercise power in a way that is fair and reasonable, and family or other personal relationships do not improperly influence their decisions. They respect the rights and dignity of those affected by their decisions and actions.

#### **(i) Financial probity**

Employees observe the highest standards of integrity in financial matters and comply with the requirements of relevant financial management legislation, policies and procedures. They maintain a strict separation between work-related and personal financial matters and only use or authorise the use of public financial resources or facilities for work-related purposes.

**(j) Official information**

Employees with access to official information ensure it is only used for official purposes and in an approved manner. Official and personal information is handled according to relevant legislation and City policies and procedures.

Employees only disclose official information or documents acquired in the course of their employment when required to do so by law, in the legitimate course of duty, when called to give evidence in court, or when proper authority has been given. In such cases comments are confined to information only.

**(k) Outside employment**

Employees only engage in outside employment where the activity does not conflict with their position as a City employee. Employment includes a second job, conducting a business, trade or profession, or active involvement with other organisations (paid employment or voluntary work). People managers can assist employees to determine if such activities will cause an actual or perceived conflict of interest.

Employees are required to seek approval from the Chief Executive Officer to engage in any outside employment in line with the City's approval of outside employment form.

**(l) Fraud**

Employees do not engage in dishonest activity causing actual or potential financial loss or detriment to any person or entity. Any employee who has knowledge of an occurrence of irregular conduct or has reason to suspect that fraud or corruption has occurred, must immediately notify their supervisor. Employees are required to comply with the City's [Fraud and Corruption Policy](#).

**(m) Gifts and benefits**

Employees do not, for themselves or others, seek or accept gifts or benefits in any form.

Employees comply with relevant policies in relation to accepting, declaring and/or recording the receipt of gifts or benefits.

Employees who are unsure about accepting a gift or benefit should seek advice from their people manager in accordance with the City's [Gifts, Benefits and Hospitality Policy](#)

**(n) Dress and appearance**

City employees must ensure their standard of appearance is professional, neat, clean, and appropriate for their particular area and type of work (inclusive of all clothing, accessories and footwear). Employees represent the City and therefore the standard of appearance applies both in the office and where the employee has a remote working arrangement which results in participation in meetings online.

Employees are required to use personal protective clothing/footwear and safety equipment (PPE) at all times where provided by Council. Where employees are provided with a uniform, it must be worn and maintained in good condition to ensure a positive image is projected to our community. Workplace attire must also meet all Occupational Health and Safety requirements at all times. An acceptable standard of personal hygiene is required of all employees.

## **For more information**

The Code prescribes required standards of behaviour rather than detailed policies and procedures. Further information on specific City policies and procedures can be found on the Intranet or via your people manager.

If you read the Code and are still unsure of how it applies to you, it is important that you discuss this with your people manager. For further information or assistance, please contact a member of the People and Culture unit on 5434 6110.

Copies of the Code, plus additional supporting information can be accessed on the Intranet, via the People and Culture unit or your people manager.



## Contact

People and Culture unit

**Phone** 5434 6110

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