

Staff Code of Conduct



Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra. We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra. We pay our respects to Elders from all nations and to their Elders past, present and future.

Title	Staff Code of Conduct
Description	The Staff Code of Conduct describes Yarra City Council's expectations of staff at all levels in performing duties or acting on behalf of council. It sets a consistent approach to, and common understanding of, the behaviours, standards, values and ethics required in all work activities.
Category	Staff
Type	Policy
Approval authority	Executive Team
Responsible officer	Group Manager People and Culture
Approval date	15 December 2021
Review cycle	Every four years
Review date	15 December 2025
Document Reference (CM)	D11/53868
Human Rights compatibility	This document has been assessed and is compatible with the Victorian Charter of Human Rights of Responsibilities
Staff Consultative Committee Consulted	Yes

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1. INTRODUCTION

Yarra City Council and all who work here accept the responsibility to ensure we leave no room for doubt or question regarding our conduct.

We recognise that as public officers it is important, we act in a manner which reflects the principles and obligations set out in the *Local Government Act 2020* ('the Act'). The community and residents are directly affected by council decisions and activities in a wide range of domains.

Section 49 of the Act requires that the Chief Executive Officer develop and implement a Code of Conduct for Council employees and provide all employees with access to the Code of Conduct.

The Act states that the Code of Conduct 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.

Further the Act states that a code of conduct for members of Council staff must include:

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

Council expects that employees will, in the course of their employment:

- act impartially and with integrity, including avoiding conflicts of interests
- accept accountability for results
- provide responsive service.

In addition, there are standards of conduct that the community and our colleagues expect of us all.

Our reputation influences how our community feels about our services, and how ratepayers, residents and visitors perceive us. Conducting ourselves with integrity is critical to building and maintaining trust and confidence in us and our organisation.

Council has developed this code as a statement of commitment to how we will conduct ourselves and our business, and how we will work with the public, our clients and colleagues.

2. PURPOSE

The purpose of the Code of Conduct is to set out Yarra City Council's expectations of staff at all levels in performing duties or acting on behalf of Council. It sets a consistent approach to, and common understanding of, the behaviours, standards, values, and ethics required in all work activities.

In addition, everyone should be aware that breaches of this code may lead to disciplinary action including termination of employment with Council.

It would be impractical for this code to describe every requirement of employees or present all the details of the policies that affect their conduct. Instead, it has been written to make employees aware of the range of ethical issues and legislation that affects their behaviour at work and to point to where they can find out more detailed information about procedures or policy. It is also up to employees to seek information when they need to clarify any area of conduct.

3. SCOPE

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

- full-time, part-time and casual employees
- permanent and temporary employees, including work experience or graduates performing work for Council
- temporary and casual individuals engaged through an agency
- staff on exchange.

Additionally, this code applies to contractors, volunteers and external parties when they work for and represent Council.

4. Values

We aim to achieve the greatest outcomes for the community through delivering our Council Plan and working with, and for, all in Yarra City Council. Our values guide our conduct and working relationships with colleagues and the community.

Overall organisational performance and councils' reputation on every level is influenced by the values operating in our workplace.

For this reason any breach of the following values will be assessed as breaches of this Code of Conduct. These values are key drivers of how you perform your role at council and your employment as a public servant. It is therefore important to act in alignment of these values to satisfy compliance with the Code of Conduct.



Accountability.

Respect.

Courage.

Our values are at the core of everything we do. They outline the behaviour expected from all staff at Yarra. We aim to achieve the greatest outcomes for the community through delivering our Council Plan and working with, and for, all in Yarra. Our values guide our conduct and working relationships with colleagues and the community.

Our values are not just words. They form the foundation of how we work and shape our organisation's culture.

We have three simple but important, values to guide how we work here at Yarra:

- **Accountability:** owning what we do
- **Respect:** including all
- **Courage:** seeking the brave path

ACCOUNTABILITY: TRUST BUILDS RELATIONSHIPS. IF WE ARE TRUSTED, WE SUCCEED

This means ...	What can you do?
We own what we do and expect others to do as well	<ul style="list-style-type: none">• Take ownership of your work.• Act with integrity and demonstrate that we comply with policies and regulations.• Seek feedback to enable continuous learning and growth.• Recognise that our work uses community resources, and this is reflected in our decision making.• Base our decisions on sound judgement supported by data, relevant policy and business objectives.

RESPECT: WHEN PEOPLE FEEL VALUED, THEY MAKE A DIFFERENCE

This means ...	What can you do?
We include all. Diversity is our strength.	<ul style="list-style-type: none">• Collaborate and cooperate as a team and with others.• Communicate with empathy. Be open and listen deeply in order to build trust for genuine working relationships.• Create environments to support safe and healthy connections.• Seek to understand each other's point of view and recognise everyone has value to contribute to our organisation.

COURAGE: CHOOSING TO DO GOOD MATTERS

This means ...	What can you do?
We are intentional in our actions. We seek the brave path.	<ul style="list-style-type: none">• When you need to make difficult decisions, stand by your commitments.• Have honest conversations with the intent to grow.• Lead and work with a flexible attitude and a positive approach to change.• Seek to innovate for better solutions.• Work in an ethical way for yourselves, your teams, our organisation and our community.

Every employee can have confidence that no one is exempt, and all are answerable to our values and this Code of Conduct.

As employees of Yarra City Council, we are committed to understanding and actioning our organisational values in alignment with the requirements of this Code of Conduct.

5. DIVERSITY AND INCLUSION STATEMENT

Yarra City Council is committed to being a child safe organisation and supports flexible and accessible working arrangements for all.

This includes Aboriginal and Torres Strait Islander people, people with a disability, culturally, religiously and linguistically diverse people, young people, older people, women, and people who identify as gay, lesbian, bisexual, transgender, intersex or queer.

We draw pride and strength from our diversity, remain open to new approaches and actively foster an inclusive workplace that celebrates the contribution made by all our people.

6. RELATED LEGISLATION / STANDARDS / CODES OF PRACTICE

This code refers to the following legislation:

- Local Government Act 2020 (Vic)
- Occupational Health and Safety Act 2004 (Vic)
- Equal Opportunity Act 1995 (Vic)
- Health Records Act 2001
- Human Rights and Equal Opportunity Act 1986 (Cth)
- Privacy and Data Protection Act 2014 (Vic)
- Freedom of Information Act 1982 (Vic)
- Fair Work Act 2009 (Cth)
- Crimes Act 1958 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic)
- Yarra City Council Enterprise Agreement 2021 – 2025

7. COUNCIL POLICIES

This Staff Code of Conduct is to be read in conjunction with all Council policies, which collectively constitute a lawful and reasonable direction to staff. This includes, but is not limited to, the following policies specifically referenced within this document:

- Anti-Bullying Policy
- Child Safe Code of Conduct (to be finalised in 2022)
- Child Safe Policy
- Child-Related Reportable Conduct Policy (to be finalised in 2022)
- Conflict of Interest Policy
- Corporate Records Management Policy
- COVID-19 Vaccination Policy
- Disciplinary Policy
- Equal Employment Opportunity and Anti-Discrimination Policy
- Fitness for Work Policy
- Flexible Work Policy
- Fraud and Corruption Control Policy
- Privacy and Health Records Policy
- Public Interest Disclosure Procedures
- Sexual Harassment Policy (to be finalised in 2022)
- Social Media Policy
- Staff Disciplinary Policy and Procedure
- Staff Gifts, Hospitality Disclosure Policy
- User Security Policy

8. DEFINITIONS

Chief Executive Officer	The person appointed by Council to be its Chief Executive Officer or any person acting in that position.
Code of Conduct	Principles, values, standards or rules of behaviour that guide the decisions, procedures and systems of an organisation in a way that (a) contributes to the welfare of its key stakeholders and (b) respects the rights of all constituents affected by its operations.
Councillor	A person who holds the office of Councillor as defined in the Act.
Direct manager	Includes team leaders, supervisors, coordinators, managers, unit managers, assistant managers, directors or the chief executive officer.
Misconduct or unsatisfactory behaviour	<p>Unsatisfactory behaviour relates to the employee's conduct and attitude. Unacceptable behaviour or misconduct can be, but is not limited to:</p> <ul style="list-style-type: none">• failing to follow established organisational policies, procedures and standards (can relate to both behaviour and performance)• absenteeism, repetitive lateness or unauthorised absence• unsatisfactory behaviour – evidenced by abusive language/behaviour, deception, or acts of bullying, discrimination or harassment• not following appropriate instructions from supervisors/managers• failing to work cooperatively with colleagues and managers• Breaching privacy principles• Conduct that may bring Council into disrepute• Incorrect action or failure to any action that should reasonably have been taken• Failure to meet the performance standards required of the role.
Reportable conduct (child-related)	<p>Refers to five types of 'reportable conduct' defined in the <i>Child Wellbeing and Safety Act 2005</i> subject to internal investigation and non-discretionary reporting to the Commission for Children and Young People and/or Victoria Police:</p> <ul style="list-style-type: none">• Sexual offences committed against, with or in the presence of a child;• Sexual misconduct committed against, with or in the presence of a child;• Physical violence against, with or in the presence of a child;• Any behaviour that causes significant emotional or psychological harm to a child; and• Significant neglect of a child. <p>Applies to any allegation of reportable conduct by our employees and volunteers even if the conduct occurred outside of their work.</p>

Serious misconduct	<p>Serious misconduct may result in summary dismissal. This occurs when a serious breach of organisation policy, procedure or other form of unacceptable behaviour has been identified and confirmed. Serious misconduct can be, but is not limited to:</p> <ul style="list-style-type: none"> • failing to follow a reasonable and lawful direction • any criminal act committed as an employee such as fraud, theft or dishonesty • disorderly or indecent conduct • assault • drug and alcohol use • deliberate misuse of Council property or equipment • serious and deliberate breach of Council policy and procedures • serious breaches of Conduct that may bring Council into disrepute • misuse of work email/internet/social media • acting unsafely • serious cases of harassment or discrimination.
Staff	<p>Council staff include the Chief Executive Officer (CEO), Executive Members, Managers, Senior Executive Officers, full-time, part-time and casual staff employed by the CEO to enable Council's (or the CEO's) functions to be performed. For the purposes of this code, staff also includes work experience students, graduate placements, agency staff, representatives, agents and partner organisations, contractors working in house and other third parties. For the purposes of this code, employees and staff are considered the same thing.</p>
The Act	<p>The <i>Local Government Act 2020</i> and any supplementary amendments or inclusions to the Act.</p>
Workplace	<p>Is any place where a person attends for the purpose of carrying out any function in relation to their employment or engagement with Council. It also includes any work-related conferences, work functions or business trips.</p>

9. RESPONSIBILITIES

As staff we must:

- Serve people courteously, fairly and effectively.
- Take responsibility for our own health and safety and the health and safety of colleagues, including following all lawful and reasonable instructions.
- Exhibit the highest standards of professional behaviour, including working conscientiously and competently in a polite and helpful manner.
- Adhere to the Child Safe Policy, Child-Related Reportable Conduct Policy and the Child Safe Code of Conduct at all times.
- Follow through on obligations to individuals and the community and keep them informed of progress.
- Act with good judgement and the required knowledge of the regulations and legislation that affect Council's activities.
- Perform our duties in a principled way and with a sense of responsibility for the results of our actions.
- Comply with the provisions and purpose of the *Local Government Act 2020*.
- Advise our direct manager, Equal Employment Opportunity (EEO) Contact Officer or People and Culture if we witness, or are aware of, breaches of any laws or acts of serious misconduct.
- Where a breach of the laws or an act of serious misconduct are proven and it is also proven that other staff were aware but did not properly advise one of the above management representatives within a reasonable timeframe, these staff will be considered as being in breach of this code and dealt with according to the Staff Disciplinary Policy and Procedure.

- Follow any lawful directions given by a person authorised to do so. If a direction is unclear, we will ask for more information in order to fulfil our duties. If we believe the direction could be unlawful or unethical or contradict the organisation's values, then we should ask a more senior manager for guidance.
- Avoid the appearance of improper conduct or poor performance of duties at public functions when we are representing Council. The way we behave at public functions reflects on the Council.
- Employees should not consume excessive alcohol or attend unsuitable entertainment when representing Council.
- At events or promotional functions hosted by other organisations, employees should make sure their conduct adds to the good reputation of the organisation.
- Complete e-learning or alternative training on all of the legislated requirements contained within this code within three months of commencing of employment and every three years thereafter.

Direct managers must:

- Promote best practice in leadership and management by focusing on employee performance and development.
- Foster a culture that drives innovation, improves productivity and recognises and rewards excellent outcomes.
- Apply empathetic people management skills to bring out the best in employees and prioritise their wellbeing.
- Educate employees about the role of diversity, inclusion, equity and social justice in strengthening our workplaces and communities.
- Promote respect for the impact of decisions on the lives of employees and the community.
- Understand any legislation and statutory requirements that relate to their duties.
- Only direct staff in a manner that complies with relevant legislation.
- Make sure their advice and decisions are based on sound information and formed in a principled and honest manner.
- Ensure that the teams they are responsible for are clear about what is required of them and that they have the information and training needed to perform their duties in accordance with legislation and regulations.
- Understand that although direct managers may delegate tasks and duties to other employees, they are still responsible for the quality of work and the productive use of employees' time.
- Implement policies and decisions in an impartial manner and consider whether their decisions are in accordance with the provisions and purpose of the legislation that relates to their functions and this code.

10. WORKING WITH CHILDREN AND YOUNG PEOPLE – CHILD SAFETY AND WELLBEING

Yarra City Council is committed to being a child safe organisation and has a zero tolerance for child abuse.

All staff at have a duty of care and legal obligation to protect children and young people from abuse, irrespective of whether or not they work directly with children and young people. As staff, you must adhere to our expectations for appropriate behaviour against, with and in the presence of a child or young person as set out in the Child Safe Code of Conduct.

Staff are expected to read the Child Safe Code of Conduct during the on-boarding period and should raise any queries about the Code with their Direct Manager immediately.

For relevant positions, or where contact with children and young people is probable, the Code should be read and discussed (to ensure it is fully understood) prior to the employee commencing any duties that involve direct contact with children/young people.

Staff are expected to report any breach of the Child Safe Code of Conduct in accordance with Yarra City Council's Child Safe Policy and Child Safe Incident Reporting Process.

11. OCCUPATIONAL HEALTH AND SAFETY / DUTY OF CARE

Council, in accordance with the Occupational Health and Safety Act 2004 (Vic) ('the OHS Act'), is committed to providing and maintaining a safe and healthy work environment wherever reasonably practicable for employees, contractors and visitors at all Council workplaces.

Staff at all levels have legal responsibilities under the OHS Act. In particular, direct managers are responsible for providing and ensuring a safe workplace. Staff at all levels must always consider their own safety and the safety of others whilst at work.

We are all responsible for:

- following safety policies, guidelines and procedures
- reporting any unsafe work practices or environments
- following all reasonable directions on safety
- using any protective clothing or other personal protective equipment provided.
- Council has developed and documented policies, procedures and instructions in relation to a wide number of OHS matters, including WorkCover, rehabilitation, specific hazard identification, risk assessment, risk control incident reporting and vaccination requirements.
- As staff of Yarra City Council, we will diligently adhere to all OHS policies, procedures or instructions written or otherwise, and note that breaches may constitute misconduct.
- These policies and procedures are available on the intranet. For further information or assistance please contact your manager or the Risk and Safety Branch in People and Culture for further information.

12. RESPECTFUL BEHAVIOURS

Yarra City Council has a zero tolerance of all forms of bullying, discrimination, victimisation, harassment and sexual harassment. This requires staff to have an ongoing responsibility to display the highest standards of professional conduct, that covers appropriate and respectful behaviours to all.

- All employees should act as a good example for respectful behaviour in the workplace.
- Treat everyone with whom you interact with respect and courtesy.
- Value diversity and act fairly and equitably in all dealings with residents, key stakeholders and fellow employees.
- Do not subject anyone to bullying, discrimination, victimisation, harassment or sexual harassment.
- Report any suspected bullying, discrimination, victimisation, harassment or sexual harassment.
- Yarra City Council will take an active approach to prevent, address and eliminate such behaviours.

12.1 ANTI-BULLYING POLICY

Workplace bullying is defined as repeated and unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety.

Not all behaviour that makes a person feel upset or undervalued at work is classified as workplace bullying.

Examples of behaviour, whether intentional or unintentional, that may be considered to be workplace bullying if they are repeated, unreasonable and create a risk to health and safety include, but are not limited to:

- abusive, insulting or offensive language or comments
- unjustified criticism or complaints
- deliberately excluding someone from workplace activities
- withholding information that is vital for effective work performance
- setting unreasonable timelines or constantly changing deadlines
- setting tasks that are unreasonably below or beyond a person's skill level
- denying access to information, supervision, consultation or resources to the detriment of the worker
- spreading misinformation or malicious rumours

- changing work arrangements, such as rosters and leave, to deliberately inconvenience a particular worker or workers.

A single incident of unreasonable behaviour is not considered to be workplace bullying, however it may have the potential to escalate and should not be ignored.

Reasonable management action taken in a reasonable way is not considered workplace bullying. It is reasonable for managers and supervisors to allocate work and to give fair and reasonable feedback on a worker's performance. These actions are not considered to be workplace bullying if they are carried out lawfully and in a reasonable manner, taking the particular circumstances into account.

Examples of reasonable management action can include but are not limited to:

- setting reasonable performance goals, standards and deadlines
- rostering and allocating working hours where the requirements are reasonable
- transferring a worker for operational reasons
- deciding not to select a worker for promotion where a reasonable process is followed
- informing a worker of their unsatisfactory work performance
- informing a worker of their unreasonable or inappropriate behaviour in an objective and confidential way
- implementing organisational changes or restructuring
- taking disciplinary action including suspension or termination of employment.

Council is committed to providing a workplace free from bullying and harassment and has developed the Anti-Bullying Policy to ensure this is achieved. This policy further details physical, verbal and non-verbal bullying behaviours, occupational violence, sources of occupational violence and what you should do if you believe bullying is occurring.

As staff of Yarra City Council, we will diligently adhere to the Anti-Bullying Policy, procedures or instructions written or otherwise, and note that breaches may constitute misconduct.

12.2 SEXUAL HARRASSMENT POLICY

Yarra City Council is committed to providing a safe, flexible and respectful environment for all employees that is free from all forms of sexual harassment.

Sexual harassment is against the law and will not be tolerated under any circumstances. Disciplinary action will be taken against any employee, volunteer or contractor who breaches this policy.

The Equal Opportunity Act defines sexual harassment as occurring when a person:

- makes an unwelcome sexual advance, or
- makes an unwelcome request for sexual favours, or
- engages in any other unwelcome conduct of a sexual nature in relation to the other person.

In circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be **offended, humiliated or intimidated**.

Reporting Sexual Harassment

Yarra City Council will ensure the safety and wellbeing of the person disclosing or formally reporting sexual harassment is a priority.

We encourage all staff to report inappropriate behaviours, there are many ways that this can happen, informally, formally, anonymously or by an external agency or authority. It is up to the complainant on the way to communicate this, but help is always available to all staff.

These policies and procedures are available on the intranet. All employees are required to comply with the Anti-Bullying Policy and Sexual Harassment Policy. For further information please contact People and Culture.

13. EQUAL OPPORTUNITY AND ANTI-DISCRIMINATION

Yarra City Council is committed to access and equity for all its employees. This includes providing equal access to jobs and development opportunities and ensuring there is no discrimination or harassment in the workplace.

It is against the law to discriminate or harass anyone because of their age, carer status, disability, industrial activity, marital status, parental status, physical features, political belief or activity, pregnancy, race, religious belief or activity, sex, gender identity or sexual orientation, the need to breast feed or personal association with someone who has (or is assumed to have) one of these characteristics. These characteristics are personal characteristics protected by law.

Direct discrimination

Direct discrimination is when a person treats, or proposes to treat, someone unfavourably because of a personal characteristic protected by law. Direct discrimination often happens because people make unfair assumptions about what people with certain personal characteristics can and cannot do.

An example of direct discrimination is refusing to employ someone on the basis of their age.

Indirect discrimination

Indirect discrimination occurs when an unreasonable condition is imposed that disadvantages a person with a personal characteristic protect by law. Indirect discrimination happens when a workplace policy, practice or behaviour seems to treat all workers the same way, but it actually unfairly disadvantages someone because of a personal characteristic protected by law.

An example of indirect discrimination is requiring all employees to attend a morning meeting each week at 7am. This may appear to treat everyone equally however, it may disadvantage employees with family or caring responsibilities. If the requirement is not reasonable, this is indirect discrimination.

We recognise that our staff and their work suffer if they feel someone is treating them unfairly, discriminating against or harassing them.

As staff at Yarra City Council we are all required to acknowledge and support the above principles to ensure everyone at Yarra City Council can work in an environment that is free from discrimination and harassment where there is:

- recognition and acceptance of equal opportunity
- a safe and respectful working environment
- a fair process for dealing with complaints.

Council's Equal Employment Opportunity and Anti-Discrimination Policy are available on the intranet. All employees are required to comply with these policies. For further information please contact Employee Relations in People and Culture.

14. GOVERNANCE AND INTEGRITY

Good governance is about the processes for making and implementing decisions. It's not necessarily about making 'correct' decisions, but about the best possible process for making those decisions. Good decision-making processes, and therefore good governance, share several characteristics. All have a positive effect on various aspects of local government including consultation policies and practices, meeting procedures, service quality protocols, Councillor and officer conduct, role clarification and good working relationships.

Under the Local Government Act 2020, Council must operate in accordance with nine governance principles. These principles create obligations in:

- lawful decision-making

- achievement of the best outcomes for the community, including future generations
- economic, social and environmental sustainability
- community engagement
- innovation and continuous improvement
- collaboration with other governments and agencies
- ongoing financial viability of the Council
- consideration of wider plans and policies
- transparency.

14.1 CONFLICT OF INTEREST

Staff may have private interests that conflict or may be perceived to conflict with the interests of Council. These interests must be declared.

Conflict of interest obligations for staff are set out in the Conflict of Interest Policy which explains:

- Yarra City Council's policy in relation to conflict of interest
- the different types of conflicts of interest
- the process to be used to identify conflicts of interest
- staff declaration obligations in relation to conflicts of interest
- management obligations in managing conflicts of interest
- consequences for failing to adhere to the conflict of interest requirements.

Staff may have private interests that conflict or may be perceived to conflict with the interests of Council. It is critical to ensure that staff are aware of their obligations and disclosure requirements and declare all interests or the possibility of an interest. An understanding of these obligations can be found in the Conflict of Interest Policy.

An alleged or actual breach of the Conflict of Interest Policy is considered a breach of the Staff Code of Conduct and will be addressed in accordance with Council's Disciplinary Policy, which details the provisions for the CEO to take disciplinary actions.

14.2 GIFTS, FAVOURS AND HOSPITALITY

In some circumstances staff may be offered a gift or hospitality from someone in a professional capacity, such as a customer, client, contractor or supplier. An offer of this type usually means staff may have to refuse acceptance of the gift and to disclose the offer, even where the gift has been refused.

Gift disclosure obligations for staff are set out in the Staff Gifts, Hospitality Disclosure Policy which explains:

- Council's policy in relation to the receipt and disclosure of gifts
- circumstances where gifts or hospitality may be accepted
- the process to follow when refusing a gift, including the disclosure of the offer of all gifts above a specified level
- the process to be followed when accepting a gift, including the disclosure of all gifts above a specified level
- provisions providing for disclosed gifts to be recorded in a gift register
- the types of offers that could be considered to be a bribe or inducement and the process to follow.

Staff are required to make themselves aware of their obligations, and any breaches of the Staff Gifts, Hospitality Disclosure Policy are considered a breach of the Staff Code of Conduct and will be addressed in accordance with Council's Disciplinary Policy.

14.3 FRAUD AND CORRUPTION

Fraud and corruption has the potential to cause significant harm to Council's finances, reputation and service delivery. These forms of wrongdoing also have the potential to diminish or destroy community confidence in Council.

Council has a zero tolerance towards fraud and corruption. If proven, incidents of fraud and corruption will be regarded as a serious disciplinary matter and with potential legal consequences.

An explanation of fraud and corruption and the obligations of staff is set out in the Fraud and Corruption Policy and Plan which explains:

- Council's policy and plan in relation to fraud and corruption
- Examples of potential types of fraud and corruption
- The roles and responsibilities of staff at all levels of the organisation
- The procedures for reporting suspected or proven fraud and corruption (including anonymously)
- How investigations are conducted
- The protections available for staff who have made a report.

Staff are required to make themselves aware of their obligations, and any breaches of the Fraud and Corruption Control Policy and Plan are considered a breach of the Staff Code of Conduct and will be addressed in accordance with Council's Disciplinary Policy.

14.4 PUBLIC INTEREST DISCLOSURES

Public Interest Disclosures (sometimes called 'Whistleblowing') is an important mechanism to ensure the integrity of public sector organisations. Public Interest Disclosures can be made by members of the public or by staff who believe on reasonable grounds that a Councillor or Council employee has engaged in, or proposes to engage in, improper conduct that is serious enough to constitute a criminal offence and/or reasonable grounds for dismissal.

An explanation of the public interest disclosure process is set out in the Public Interest Disclosure Procedures which sets out the governance structures necessary to support the making and handling of disclosures of improper conduct, in line with the guidelines of the Independent Broad-based Anti-Corruption Commission (IBAC).

Further information about the making of Protected Disclosures is available on Council's website.

15. SOCIAL MEDIA

Access to social media at work is provided to assist staff in their work (for example, research, monitoring issues, marketing and promotion). While a "reasonable" amount of personal use of social media is permitted at work (such as in break times), it should not be excessive and should not interfere with a staff member's work.

The Social Media Policy and the Code of Conduct apply to staff when they are interacting with social media at work and at home.

Staff should:

- take care that personal use of social media does not damage the reputation of Yarra City Council or suggest that they are not or cannot be impartial or apolitical or breach any part of our Social Media Policy or this code.
- never post material or information that is not already publicly available. This includes (but is not limited to) sharing or making announcements about funding, openings, program or service changes, events or decisions that have not officially been announced by Yarra City Council.
- never post material that is, or might be construed as, threatening, harassing, bullying or discriminatory towards another employee/contractor of Council.
- Ensure that when publicly commenting on social media that staff uphold our values and expected behaviours.
- Be aware that there may be implications of posts on social media that also extends to when staff are on leave or outside of work hours.
- Staff are required to be mindful of any comments on social media or posts where they may be seen to be representing Council or connected with Council (for example a post on social media outside of work with a photo of yourself wearing a Council uniform and/or where you are identified as an employee of Council).
- Not use Yarra City Council's social media channels to send unsolicited commercial electronic messages or solicit other users to buy or sell products or services or donate money.
- Not publish confidential or copyrighted information (this extends to; music, videos, text belonging to third parties).
- Not attempt to do or permit another person to do any of these things:
 - claim or imply that you are speaking on Council's behalf, unless you are authorised to do so.

- disclose any information that is confidential or proprietary to Council, or to any third party that has disclosed information to the practice.
- Not tamper with, hinder the operation of, or make unauthorised changes to Yarra City Council's social media channels.

Staff should familiarise themselves with the Social Media Policy, which is available on the intranet. Staff without access to the intranet can get copies of these policies from their managers.

16. INFORMATION MANAGEMENT

As employees our handling and management of information carries with it a responsibility to be diligent and meet the highest standards of probity, integrity and security.

16.1 OFFICIAL INFORMATION

By virtue of their duties, Yarra City Council staff frequently access, otherwise deal with, and/or are aware of, information about issues, facts and circumstances that they know, or where a reasonable person in the circumstances would know, needs to be treated as confidential.

Staff will not access or attempt to access official information other than in connection with the performance by them of their duties and/or as authorised.

Staff will not disclose official information acquired through the course of their employment other than is required by law or where appropriately authorised in the agency concerned.

Staff will not misuse information gained in their official capacity, including, but not limited to:

- purchasing shares or other property on the basis of confidential information about the affairs of a business or of a proposed government action
- seeking to use information for personal benefit or gain or for the personal benefit or gain of another.

Staff will maintain the integrity and security of official information for which they are responsible. Staff will also ensure that the privacy of individuals is maintained and will only release information in accordance with relevant legislation, industrial instruments, policy or lawful and reasonable direction.

16.2 RECORDS

Council is required under the Public Records Act 1973 to effectively and efficiently manage public records and information in accordance with standards set by the Public Records Office of Victoria (PROV). To comply with these standards, Council has established a corporate records management program to manage all forms of records/information. Council maintains an is the primary Electronic and Records Document Management System (eRDMS). This system is the primary records system for all corporate records however, a number of other business systems also operate to capture records. For example, Council's payroll system.

All staff of Yarra City Council have a responsibility to ensure that full and accurate records of Council business, activities and decisions are created and managed in accordance with Records Management Policy.

Council records can only be legally disposed of under one of three processes as defined under the PROV disposal standard:

1. Destruction of records under the principle of Normal Administrative Practice (NAP).
2. Destruction of records covered by a Retention and Disposal Authority (RDA).
3. Specific authorisation to destroy records not covered by NAP or an existing RDA.

Any queries about the management or disposal of records should be made to Corporate Records.

16.3 TECHNOLOGY

Yarra City Council has a User Security Policy (including email and internet terms and conditions of use) to assist you when using email, the internet and a Council device. Council requires all staff who have access to

Council's Technology Network (internal and Virtual Private Network - VPN) to act in a responsible and ethical manner and to adhere to the terms and conditions laid out in this policy which includes information about:

- processing and storing corporate knowledge and memory
- handling Council information
- access and using Council information
- ethical conduct in relation to using the system
- protection of confidentiality
- use of passwords
- instructions for use of the IT equipment, including designated drives
- internet browsing limitations
- completion of all mandatory cybersecurity training
- use of the email system.

Council has legal ownership of the contents of all files stored on the organisation's network, as well as all information transmitted via these systems. All devices are also monitored for security events. You should know and understand that management reserves the right to:

- examine all devices, electronic mail, personal file directories, hard disk drive files, recordings and other information stored on or accessed via Council's Technology Network
- monitor and read messages sent over Council's communication systems (email, chat)
- take action in the case of any breaches of policy.

16.4 PRIVACY / CONFIDENTIALITY

Staff are required to adhere to the privacy commitments stated in Council's Privacy and Health Records Policy and comply with the obligations of both the Privacy and Data Protection Act 2014 and Health Records Act 2001.

This includes:

- not inappropriately using or disclosing private information about Council or any person you have come in contact with as a result of your job.
- not inappropriately using or disclosing any private information that either yourself or Council has collected.
- not collecting private information unless it is absolutely necessary.
- Ensuring people who are providing their private information are aware of what information is being collected and how it will be used.
- preventing the use or disclosure of any private, health or other confidential information.
- returning all private or health or confidential information belonging to Council if you leave the organisation.

17. GENERAL WORKPLACE STANDARDS

The way we present and conduct ourselves is a significant factor in how we are perceived by those external and internal to Council. We all have an important role to play in making sure Council is viewed as a professional, mature and contemporary organisation. Our appearance, public image, presentation and integrity must always be beyond reproach.

17.1. REPORTING UNETHICAL BEHAVIOUR

Yarra City Council staff will report to their direct manager workplace behaviour that a reasonable person would suspect violates any law, is a danger to public health or safety or to the environment or amounts to misconduct. This obligation does not derogate from the obligations on Yarra City Council staff under the directions and guidelines issued by the Independent Broad-based Anti-Corruption Commission (IBAC).

Yarra City Council staff who are potential witnesses, or are otherwise capable of assisting, will actively cooperate and assist with any investigation into the suspected or alleged conduct of another employee that, if proven, would amount to misconduct (including corruption and maladministration as defined in the

Independent Broad-based Anti-Corruption Act 2011) and any other processes relating to the management of such suspected or alleged conduct. This obligation does not impact upon the right against self-incrimination of employees suspected of committing or alleged to have committed misconduct.

17.2 APPROPRIATE USE OF COUNCIL RESOURCES

Resources must be used efficiently when planning or delivering projects and business activities.

Council encourages staff to:

- think imaginatively about alternatives
- seek suppliers whose practices are also sustainable
- use and maintain existing assets and resources with care.

Assets must be used effectively and stored securely so that they perform well over a reasonable life span.

As staff of Yarra City Council we acknowledge that Council will take action against any employee who steals, misappropriates, or converts Council, community or customer assets to private use.

Direct managers must ensure that there are suitable practices in place for the use of assets, so that, where it is appropriate, employees should obtain authorisation to use them. They should also ensure that assets and equipment are secure and well maintained.

The Council's assets and resources are there for Council purposes. They may be used for private purposes only if they are supplied as part of a contract of employment (such as a mobile telephone or personal computer) or if a direct manager authorises the use and payment is made.

- Irrespective of your assessment of the significance, always check with your direct manager about vehicle use that is not clearly for Council work purposes.
- Actively avoid excessive personal or private use of a Council phone.
- Do not allow access of friends or family to Council sites, equipment or information for private use.

Direct managers may delegate day-to-day administration for the use of equipment to other employees, but they are still responsible for Council assets as recorded in Council's asset register.

If an asset is damaged, the manager named as responsible in the asset register should be notified so that they can arrange for its repair or replacement. Some kinds of damage may be subject to an insurance claim and in this case the manager should inform Risk, Audit and Procurement as soon as possible. If an asset is lost, the manager must notify the Manager, Engineering and Asset Management who will look for it or notify Risk, Audit and Procurement of its loss.

Some examples of inappropriate use of Council resources might include but are not limited to the following:

- using your 'commuter use' work vehicle for private uses other than on the way home or to work
- downloading or streaming of music and or movies for private use using your work PC, laptop or mobile phone
- using Council equipment or material to help on a project at home or at a friend or family members house for example, driveway ash felting, handyman tasks.

17.3 WORKING WITH COUNCILLORS

The Local Government Act 2020 provides for Council to appoint and direct the Chief Executive Officer, who in turn is responsible for the organisation. Councillors may not direct members of staff to perform duties or undertake specific actions. Any Councillor requests should be directed through your director or executive.

18. PERSONAL CONDUCT

Our behaviour in the workplace and in public is important as we are public servants.

All employees are expected to present professionally and be punctual to work and meetings and perform our duties effectively and in a manner that promotes a productive and harmonious work environment.

As staff of Yarra City Council we must act in alignment with our values, and:

- honestly in the performance of official duties at all times
- with reasonable care and diligence in the performance of official duties
- in a professional manner at all times in the performance of official duties
- in a way that generates trust and confidence in the Council from our colleagues and the public
- in a reasonable, just, respectful and non-discriminatory way when dealing with all people
- in a way that ensure that personal interests, including financial interests, do not influence or interfere with the performance of our role
- to know who our customers are, understand their needs, and take their views into account
- to recognise and value internal and external customers equally
- to focus on delivering the best outcomes
- to provide honest and objective advice and carefully implement direction without undue delay
- to encourage people from other teams and organisations to work with us to achieve the best possible outcomes
- to embrace responsibility and deliver on commitments to colleagues and leaders
- to identify and understand the situation, feelings, and motives of our associates
- to appreciate openly that people have different backgrounds, circumstances, needs, and capabilities
- to listen considerately to colleagues, customers, clients, stakeholders, and partners.

Some examples of inappropriate personal conduct might include (but are not limited to) the following and therefore we must not:

- discriminate in any way shape or form
- ignore potential bias in decision making
- inappropriately comment on a person's appearance
- display mockery, derision, scorn, scoffing, contempt, jeering, sneering, teasing, taunts or sarcasm
- refuse to follow a lawful and reasonable direction from a supervisor or direct manager
- use a process or procedure as an excuse for stalling or handballing an issue
- provide lower standards of service to customers who are employed at Yarra City Council
- refuse to listen to, or act upon, complaints about poor service
- accept underperformance, or tolerate, and thereby promote, bad attitudes
- accept ineffective practices when outcomes could clearly be improved
- tolerate a difference between what is said and what is done among colleagues or leaders
- tolerate or fail to report unethical behaviour or misconduct
- ignore the evidence, or manipulate it, to justify a pre-determined decision
- take a 'one size fits all' approach to working with people.

18.1 PUBLIC IMAGE AND APPEARANCE

While at work or on Council business, we are required to look professional, be tidy in our appearance, wear clothing, footwear and apparel that is neat, clean, practical and appropriate, and be professional in everything we do. This also applies to when we are present as a member of staff at any event held on Council premises.

Some examples of an inappropriate public image or appearance might include, but are not limited, to the following:

- presenting to work visibly hungover and smelling of alcohol

- engaging in aggressive behaviour on the road to or from work (including road rage) while being identifiable as a member of staff
- inappropriate attire. Casual Friday is not exempt. The “smart casual” standard is what is expected on such days. Thongs, sandals, sporting or board shorts and singlets are not professional or appropriate workplace attire. If you are in any doubt dress up, not down, and check with your direct manager.

19. OUTSIDE EMPLOYMENT

Yarra City Council staff must not engage in employment or other remunerative activity outside of their Yarra City Council employment where the activity conflicts with, or has the potential to conflict with, their role as a staff member, or if the performance of such outside employment or activity might affect their capacity to perform their duties.

Yarra City Council staff will obtain written permission from the CEO or delegate before engaging in any outside employment or remunerative activity (including any employment, work or service for which payment is made by way of pay, salary, honorarium, commission, fee, allowance or other reward).

In general, it is not necessary for staff to obtain permission to involve themselves in or undertake voluntary or unpaid activities or paid recreational activities (for example, sport coaching) unless there is an actual or potential conflict of interest between such activity and their duties and/or role as a Yarra City Council staff member.

Yarra City Council staff who leave to work with a nongovernment employer will avoid situations which would result in an unfair advantage for their new employer. This holds particularly in the case where the employer is bidding for a local government contract or is competing for a grant or similar disbursement of public moneys.

20. CRIMINAL CHARGE OR CONVICTION

If a Yarra City Council staff member is charged or convicted with a criminal offence, they must advise their manager at the earliest possible opportunity (or if their manager is not available, someone in People and Culture) about the details of the charge. The manager, in consultation with People and Culture, will review any connection between the alleged offending conduct and the staff member duties, role, position or status.

21. COMPLYING WITH THE CODE

In the case where someone does not comply with this code and related documents, or if their behaviour is deemed improper or unsatisfactory, a process will be initiated in accordance with Council’s Disciplinary Policy.

Depending on the nature and impact of the breach, remedies may include informal or formal counselling, the provision of additional support, internal investigation, formal written or verbal warnings, suspension or termination of employment with Council.

In the case of contractors, volunteers or other representatives, breaches will be dealt with under the terms and conditions set out in their contract of engagement.

22. ACCESS TO THE CODE

It is important that all staff receive comprehensive education about the Staff Code of Conduct and can easily access the code.

The most recent version of this code will be available on the intranet and within the Policy Library on Content Manager. Hard copies of the code will be made available for staff who do not work at computer workstations.

Further Information

For further information about the Code of Conduct contact People and Culture.