

Tablelands Regional Council



Employee Code of Conduct CCS 5.1.2





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Version Control

Version	Outline of Revisions	Date	Updated By
1.0	Approved	7/10/2011	Megan Keough
2.0	Approved by ELT	4/06/2014	Marj Nix
3.0	Approved by ELT	25/01/2017	Marj Nix
3.1	Approved by COO – minor amendments	20/04/2018	Marj Nix

1. Scope

This Code applies to employees of Tablelands Regional Council (TRC).

For the purposes of this document only, employees are defined as:

- any TRC employee whether permanent, maximum-term, full-time, part-time or casual, and
- any volunteer, student, contractor, consultant or anyone who works in any other capacity for Tablelands Regional Council

The Code applies at all times when we are performing official duties including when we are representing TRC at conferences, training events, on business trips and attending work-related social events.

2. Legislative background

The Code contains the ethics principles and their associated set of values prescribed in the *Public Sector Act 1994*. It also contains standards of conduct for each ethics principle.

1 Integrity and impartiality

2 Promoting the public good

3 Commitment to the system of government

4 Accountability and transparency

These are the fundamental principles of ethical behaviour essential to public sector integrity and accountability.

Each principle is strengthened by the set of values describing the behaviour that will demonstrate that principle. The principles and associated values are equally important.

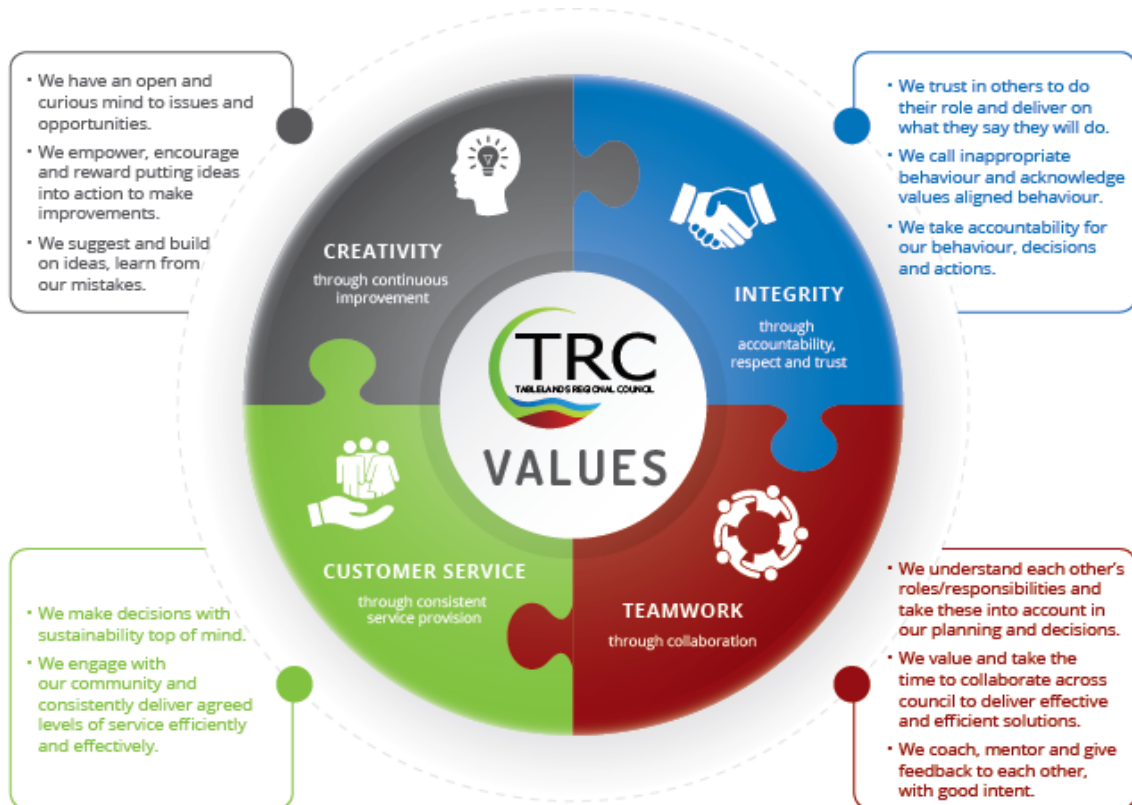
The standards of conduct, contained in the Code under each set of principles and values, help us as individuals to understand how we put these principles and values into practice. The standards are not intended to cover every possible scenario, therefore in adhering to the Code, we are committed to upholding the intention and spirit of the principles and values.

As well as upholding the principles, values and complying with standards of conduct set out in this Code, we will also comply with all relevant legislation, awards, certified agreements, directives, whole-of-government policies and standards. We will also adhere to TRC policies, procedures, organisational values and other documents.

The *Local Government Act 2009* sets out the way in which a local government is constituted and the nature and extent of its responsibilities and powers. The Act requires that a council's actions are consistent with the following local government principles:

1. Transparent and effective processes and decision-making in the public interest;
2. Sustainable development and management of assets and infrastructure and delivery of effective services;
3. Democratic representation, social inclusion and meaningful community engagement;
4. Good governance of, and by, local government; and
5. Ethical and legal behaviour of councillors and local government employees.

3. TRC organisational values



4. Responsibilities

The Code describes how we will conduct ourselves in delivering services to the Tablelands community. An ethical culture in public service agencies starts with our Chief Executive Officer and is demonstrated through our senior leaders and all employees.

4.1 All employees


We take personal responsibility to uphold this Code and demonstrate the principles and values of the Public Sector Ethics Act 1994 by the way we perform our duties.

This Code recognises that we can all demonstrate ethical leadership in how we perform our role, and is a statement of our commitment to the community, their elected representatives and our colleagues.

4.2 Chief Executive Officer and senior leader roles

As our senior leaders, the Chief Executive Officer and senior leader roles - General Managers and the Chief Operating Officer have a responsibility to visibly demonstrate and uphold the principles and values of the Public Sector Ethics Act 1994. Chief Executive and senior leader roles are to promote an organisational culture that values high ethical standards and behaviour.

The Chief Executive Officer and senior leader roles openly demonstrate their conscious commitment to ethics by communicating the importance of ethical decision-making in the workplace, and promoting ethical behaviour in day-to-day actions.



The Chief Executive Officer and senior leader roles also ensure employees have access to training in the operation of this Code and in ethical decision-making more broadly, making the Code meaningful for all employees.

4.3 Managers, Coordinators and Supervisors

Managerial and supervisory behaviour sets the tone for the conduct of all employees. Managers, Coordinators and Supervisors have a responsibility to model and promote this Code.

Managers, Coordinators and Supervisors have the ability to influence others by fostering an ethical environment and demonstrate this awareness in performing their duties and in making decisions.

Managers, Coordinators and Supervisors ensure TRC employees understand the Code, and any other relevant legislation, delegations, policies, procedures or other information required to satisfactorily perform our duties. Managers, Coordinators and Supervisors also ensure that appropriate development and training is provided allow us to perform our duties.

5. Upholding this Code

As part of demonstrating our commitment to uphold this Code, we need to identify and report conduct that is not consistent with this Code.

The Chief Executive Officer, senior leader roles, Managers, Coordinators and Supervisors have a responsibility to make fair, transparent and consistent decisions regarding any allegations of behaviour that does not align with this Code.

We will support employees who report genuine concerns of wrongdoing and manage any reports of suspected wrongdoing in a fair, transparent and consistent manner, ensuring natural justice is applied.

6. Principles and values

6.1 Integrity and impartiality

The Public Sector Ethics Act 1994 states:

In recognition that public office involves a public trust, public service agencies, public sector entities and public officials seek to promote public confidence in the integrity of the public sector and –

- a. *are committed to the highest ethical standards;*
- b. *accept and value their duty to provide advice which is objective, independent, apolitical and impartial;*
- c. *show respect towards all persons, including employees, clients and the general public;*
- d. *acknowledge the primacy of the public interest and undertake that any conflict of interest issue will be resolved or appropriately managed in favour of the public interest; and*
- e. *are committed to honest, fair and respectful engagement with the community.*



Standards of conduct

Operationally, this includes the following standards of conduct:

6.1.1 Behaviour towards each other

We must all treat others with trust, respect, honesty, fairness, sensitivity and dignity. We have a responsibility to always conduct and present ourselves in a professional manner, and demonstrate respect for all persons, whether fellow employees, customers or members of the public.

Employees who supervise or manage other employees have a special responsibility to model this kind of behaviour, and to ensure that the people they supervise understand the standard of performance and behaviour that is expected of them, and to address any behaviour that does not align with the Code.

We will:

- treat co-workers, clients and members of the public with courtesy and respect, be appropriate in our relationships with them, and recognise that others have the right to hold views which may differ from our own
- ensure our conduct reflects our commitment to a workplace that is inclusive and free from harassment or discrimination
- ensure our fitness for duty, and the safety, health and welfare of ourselves and others in the workplace, whether co-workers or customers
- work cooperatively with other employees
- ensure our private conduct maintains the integrity of the public service and our ability to perform our duties, and
- comply with legislative and/or policy obligations to report criminal charges and convictions

6.1.2 Resolution of conflicts or disagreement

Where a conflict or disagreement arises, whether with a customer, a member of the public, a Manager/Coordinator/Supervisor, a colleague or any other individual, you must seek to resolve the conflict or disagreement in a way that is respectful of the other person and of their point of view so as to obtain a constructive resolution of the conflict or disagreement.

6.1.3 Conflicts of interest

A conflict of interest involves a conflict between our duty, as TRC employees, to serve the public interest and our personal interests. The conflict may arise from a range of factors including our personal relationships, our employment outside TRC, our membership of special interest groups, or our ownership of companies or property.

As TRC employees we may also experience conflicts of interest between our TRC ethics and our professional codes of ethics (eg. as health care professionals or as lawyers), or with our personal beliefs or opinions. Have a conflict of interest is not unusual and it is not wrongdoing in itself, however failure to disclose and manage the conflict appropriately is likely to be wrongdoing.

Before making decisions, you must declare any real or perceived conflicts of interest, whether real or perceived, you must report it to your General Manager, Chief Operating Officer, or Chief Executive Officer in writing.

While the conflict exists, you must not be part of any decision making processes related to the matter. You must ensure that any conflict of interest is resolved in the public interest.

6.1.4 Influences on decision making

You must not influence any person in an improper way with the aim to obtain personal advantage or favours.

All decisions need to be, and be seen to be, fair and transparent. This can be achieved in a number of ways, including clear record-keeping and showing how decisions were made.

Appendix A A Guide to Ethical Decision Making has more information about how to make ethical decisions.

6.1.5 Accepting Gifts or Benefits

Occasionally you may be offered gifts or benefits, including hospitality (meals, accommodation, tickets to a sporting event etc.) from people with whom you do business or in the course of your duties.

Under Section 199 of the Local Government Act 2009 it is an offence for an employee to ask for, or accept, a fee or other benefit for doing something as a local government employee. However this does not apply to a benefit that has a nominal value.

The acceptance of gifts or benefits of a nominal value may be permitted in certain circumstances, however as a rule you must not accept any gifts or benefits if there is a possibility that in doing so, you could create a real, potential or perceived conflict of interest or be seen to be receiving a bribe.

Any acceptance of gifts or benefits must be in accordance with Council policies and procedures. If you are unsure you should decline it or seek advice from your supervisor or People & Culture prior to acceptance.

6.1.6 Employment outside of council

It is a condition of your employment that you must seek and obtain the Chief Executive Officer's approval prior to performing paid work outside of the council where there may be a real or perceived conflict of interest with the activities and responsibilities of the position, or where the work may affect your ability to perform your duties.


Approval for secondary employment will normally be granted as long as the work:

- is kept separate from council work;
- does not lead to a conflict of interest;
- does not affect council time or resources;
- does not interfere with your work in council.

6.1.7 Public comments on council business or administration

Commenting on council business or administration is a matter for the Chief Executive Officer, senior leaders or the Corporate Communications team. If asked to comment on any council matter by the media or public relations representatives, you must refer to the matter to the Corporate Communications team unless prior you have received prior authorisation to make comment.

Where providing factual information to the public on government policy is a part of our official duties and responsibilities, we will ensure that information is appropriately authorised, and that we properly represent government policy and administration in its intended manner and spirit.



Like any other citizen, we have the right to contribute to public discussions on community and social issues in our private capacity. In doing so, we will:

- take reasonable steps to ensure that any comment we make will be understood as representing our personal views, not those of TRC
- maintain the confidentiality of information we have access to due to our roles, that is not publicly available, and
- be aware that personal comments about a public issue may compromise our capacity to perform the duties of our role in an independent, unbiased manner.

You must also ensure that to the extent you collect, handle or give access to personal information, you comply with the Privacy Principles outlined under the Information Privacy Act 2009.

6.1.8 Manage participation in external organisations

Our work as a TRC employee does not remove our right to be active privately in a political party, professional organisation or trade union.

As a member of a political party, however, we are aware that participating in activities in the public arena, where we may be identified as a TRC employee can give rise to a perception of conflict of interest (see clause 6.1.3). Where this situation arises, we will declare and manage our activities in accordance with TRC requirements.

If we are elected as workplace representatives or officials of a trade union or professional association, we are not required to seek permission from our workplace before speaking publicly in that capacity, and we will make it clear that our comments are made only on behalf of that organisation.

In all instances, we will comply with the appropriate laws of privacy, confidentiality and information management.

6.2 Promoting the public good

The Public Sector Ethics Act 1994 states:

In recognition that the public sector is the mechanism through which the elected representatives deliver programs and services for the benefit of the people of Queensland, public service agencies, public sector entities and public officials –

- accept and value their duty to be responsive to both the requirements of government and to the public interest;*
- accept and value their duty to engage the community in developing and effecting official public sector priorities, policies and decisions;*
- accept and value their duty to manage public resources effectively, efficiently and economically;*
- value and seek to achieve excellence in service delivery; and*
- value and seek to achieve enhanced integration of services to better service clients.*

Standards of conduct

Operationally, this includes the following standards of conduct:

6.2.1 Commitment to excellence in service delivery

TRC is entrusted with public and community funds to develop and deliver services to the Tablelands community. We have a responsibility to:

- deliver services fairly, courteously, effectively, and ensure we use resources efficiently and economically
- assist all members of the community, including those with disabilities, those who speak languages other than English, and those who may find it difficult to access our services, and
- treat complaints from customers and the community seriously and respond to constructive feedback as an opportunity for improvement.

All Council employees must strive to provide excellent customer service. You must treat members of the public with honesty, fairness, sensitivity and dignity. Employees are required to adhere to the [TRC Customer Service Charter](#).

Customers have a right to complain or criticise Council. While you must make all reasonable efforts to help customers lodge complaints, if you think a situation is threatening or intimidating, you are entitled to withdraw from the situation and report the matter to your supervisor.

A high standard of personal presentation is required from all staff whilst on duty. Council's Staff Uniform and Presentation Policy clearly outlines what constitutes appropriate dress. Managers, Coordinators and supervisors are responsible for ensuring staff are appropriately presented at all times.

6.2.2 Privacy and confidentiality

TRC has information about commercial in confidence matters, individuals and businesses that are sensitive, private and confidential and could be detrimental to the interests of those entities if released.

You must keep such information confidential and comply with related TRC policies at all times.

6.2.3 Concern for the environment and cultural heritage


We all share the responsibility to protect our natural environment, create healthy surroundings for our community, and for managing the impacts of air, water, land and noise pollution. This includes individual responsibility for our own actions (eg. taking care in disposing of waste and using and storing chemicals, reducing energy consumption and waste in our work spaces).

As part of every employee's duty of care to the community there exists a responsibility to recognise and minimise damage to cultural heritage sites both recognised and potential. Employees must follow Council policies and procedures to avoid any damage to any potential cultural heritage site.

6.3 Commitment to the system of government

The Public Sector Ethics Act 1994 states:

In recognition that the public sector has a duty to uphold the system of government and the laws of the State, Commonwealth and local government, public service agencies, public sector entities and public officials –

- 
- a. *accept and value their duty to uphold the system of government and the laws of the State, the Commonwealth and local government;*
 - b. *are committed to effecting official public sector priorities, policies and decisions professionally and impartially; and*
 - c. *accept and value their duty to operate within the framework of Ministerial responsibility to government, the Parliament and the community.*

(This) does not limit the responsibility of a public service agency, public sector entity or public sector official to act independently of government if the independence of the agency, entity or official is required by legislation or government policy, or is a customary feature of the work of the agency, entity or official.

Standards of conduct

Operationally, this includes the following standards of conduct:

6.3.1 Acting within the law

As an employee of TRC you are expected to be reasonably aware of, and comply with the law, policies, procedures and delegations relevant to your area of work. You are expected to obey lawful, reasonable directions from supervisors, Coordinators, Managers, General Managers, the Chief Operating Officer and the Chief Executive Officer.

If you are charged with having committed any indictable offence, are subject to an indictable offence conviction, are subject to a summary conviction, or your drivers licence has been lost/suspended you must immediately report the circumstances to your manager so any impact on your work can be considered. Such disclosure shall be treated as confidential.

6.3.2 Challenging a direction

You must not follow directions that are in breach of the law or unsafe to fulfil. If you are given such a direction, challenge it respectfully, if you are not satisfied with the response, you should raise the concern at a higher level of management.

You also have the right to respectfully question how you do your work if you feel there is a better way of doing something.

However, unless there is a significant concern for the lawfulness or safety of a direction, you are obliged to implement it in the interim.


6.3.3 Intellectual property

Original work, inventions, or products that you have designed through the course of your employment with TRC are always the intellectual property of TRC.

You must not publish or disclose any matters relating to council's intellectual property unless authorised. You must also respect the intellectual property rights of individuals and organisations outside of council.

6.3.4 Advice given to elected officials

Communication between Councillors and employees must be in accordance with TRC policies and guidelines. A councillor must not direct or attempt to direct workers about the way they perform their duties.



When authorised to do so, you must give Councillors advice that is thorough, responsive, and unbiased so that Councillors can make decisions and carry out their community responsibilities.

If you believe there is conflict between a request from a Councillor and TRC policies, you must discuss this with your supervisor/Coordinator/Manager prior to responding to the request.

6.3.5 Obligation to disclose fraud, corruption or unethical behaviour

Employees will take the appropriate action to prevent, and to report to the CEO or Crime and Corruption Commission or other relevant entity any suspected fraud, corruption or unethical conduct by any other employee.

Reporting fraud, corruption or unethical behaviour provides a vital service to Council. An employee who makes an honest report will be protected and supported by council in accordance with the procedural requirements under the *Public Interest Disclosure Act 2010*.

Possible instances of fraud, corruption or unethical conducts includes, but is not limited to:

- any behaviour by which one person or a group of people intends to gain an unfair advantage over another;
- obtaining money, assets, services or information that would otherwise be denied; or intentionally causing a loss of these items to the Council or to another party;
- concealment by falsification, defacement, destruction or the deliberate creation to mislead in an account, record or document (including electronic data);
- petty theft, pilfering, extortion, corruption embezzlement, forgery, unfair competition, commercial espionage, secret commissions, impersonation and deception; and
- employees are involved in fraud where they deliberately over charge a third party for the benefit of Council.

6.4 Accountability and transparency

The Public Sector Ethics Act 1994 states:

In recognition that public trust in public office requires high standards of public administration, public service agencies, public sector entities and public officials –

- a. are committed to exercising proper diligence, care and attention;
- b. are committed to using public resources in an effective and accountable way;
- c. are committed to managing information as openly as practicable within the legal framework;
- d. value and seek to achieve high standards of public administration;
- e. value and seek to innovate and continuously improve performance; and
- f. value and seek to operate within a framework of mutual obligation and shared responsibility between public service agencies, public sector entities and public officials.



Standards of conduct

Operationally, this includes the following standards of conduct:

6.4.1 Ensure diligence, care and attention

You are required to carry out your duties honestly, responsibly, in a conscientious manner and to the best of your ability. This includes:

- applying due care in our work, providing accurate and impartial advice to all customers
- treating all people equitably and consistently, and demonstrate the principles of procedural fairness and natural justice when making decisions
- exercise our lawful powers and authority with care and for the purpose for which these were granted
- comply with all reasonable and lawful instructions, whether or not we personally agree with a given policy direction
- be economical, and avoid waste and extravagance in the use of public resources for proper purposes
- giving priority to official duties over personal activities during work time, and
- conducting yourself in a way so as not to bring disrepute to the council
- so others gain confidence and trust in the way council does business, and
- helping the council achieve its vision and goals by acting to improve systems and practices

6.4.2 Ensure appropriate use and disclosure of official information

Information privacy legislation protects against the misuse of personal information and we have an obligation to ensure the lawful collection and handling of personal information.

In addition, we will:

- treat official information with care and use it only for the purpose for which it was collected or authorised
- store official information securely, and limit access to those persons requiring it for legitimate purposes, and
- not use confidential or privileged information to further personal interests.


We will continue to respect the confidentiality of official information when we leave TRC employment.

6.4.3 Attendance and absence from duty

You are expected to follow council protocols eg. agreements, policies and procedures on attendance at work. This includes accurately and truthfully recording work and leave periods, being punctual and not being absent without authority. When you are unable to attend work you must contact your supervisor as soon as practicable to inform them of this.

6.4.4 Respecting council property/assets

Council property/assets includes, plant, equipment, information systems, computing resources, goods, products and valuables. We all share the responsibility for looking after them. You must take good care of assets in your possession or use and treat them with the same care and respect with which you would treat your own property. It is an offence to misuse or knowingly allow anyone else to misuse an asset.



Council allows limited and minimal personal use of electronic mail and internet, subject to and in accordance with Council policy.

You must take all reasonable steps to ensure that assets under your jurisdiction are secured against theft as well as being properly stored, maintained and repaired.

You must ensure that you use council property/assets in accordance with TRC policies and procedures and only for official council business, unless written approval has been granted by your Manager.

It is preferable not to store personal files on Council's IT assets. Council monitors the use of the network and systems, and may access stored data, usage or communications logs at its discretion.

You must not appropriate council property/assets for your own use or for any other use other than for council benefit. This includes any property within the council's control such as scrap material and waste, including waste material at council dumps and landfills. Taking such property, or allowing it to be taken, without proper authorisation is stealing and is strictly prohibited under this code.

6.4.5 Public money

You must maintain high standards of accountability when managing public money. You are not to borrow or use council money for private purposes. You must comply with council's policies and procedures for dealing with public money at all times.

6.4.6 Commitment to innovation and continuous performance improvement

The capacity of TRC to deliver services to the community depends on an innovative and creative workforce, and a commitment to continuously improve the performance of our agency and ourselves.

We each have a responsibility, having regard to our own roles, to:

- maintain and develop our professional skills and knowledge
- in consultation with our supervisors, take reasonable steps to identify and apply for development opportunities relevant to our current roles and responsibilities
- actively participate in Achievement and Development Planning
- actively contribute to developing and improving business planning and processes, including innovative ways of delivering services

6.4.7 Workplace Health and Safety

Under the Work Health and Safety Act 2011 and the council's policies and procedures in respect of workplace health and safety, we each have a responsibility to:

- adhere to the workplace health and safety systems that are in place
- follow reasonable workplace health and safety instructions
- wear personal protective clothing and equipment where it is provided, and use it as instructed
- not place yourself or others at risk of injury in the course of performing work of any kind for council
- ensure that you are in a fit condition to perform your duties safely
- ensure that you do not attend work or conduct council business with drugs and/or alcohol in your system in excess of the tolerance levels set out in council policy
- report incidents and hazards when you become aware of them.



7. Breaches of this Code

Suspected breaches will be investigated and dealt with in accordance with council policy/procedure. Suspected breaches will be treated individually and all relevant circumstances will be taken into account. Depending on the severity of the breach, formal disciplinary proceedings may apply.

When investigating suspected breaches the principles of natural justice will apply, including reasonable notice and the right of response and to representation.

By law, all allegations of corruption, which includes allegations of fraud, corruption or serious misconduct, must be reported to the Crime and Corruption Commission. Reports of fraud, corruption or serious misconduct may also be made to the Queensland Audit Office and/or the police dependent on the nature of the conduct.

7.1 Obligation to report

If you have a concern, or suspect a breach of the Code involving one or more workers, you have an obligation to report that concern to the appropriate supervisor/Coordinator/Manager/Senior Leader/CEO/People Capability and Culture representative.

You should note that the *Public Interest Disclosure Act 2010* gives the right and the protection to report serious wrongdoings using:

- internal channels (eg. supervisor/Coordinator/Manager/Senior Leader/People Capability and Culture representative etc.); and
- external channels (eg, the Crime and Corruption Commission, Anti-Discrimination Commission, Queensland Police etc.)

8. Legal parameters

- Public Sector Ethics Act 1994
- Industrial Relations Act 2016
- Local Government Act 2009
- Local Government Regulation 2012
- Crime and Corruption Act 2001
- Work Health and Safety Act 2011
- Public Interest Disclosure Act 2010
- Anti-Discrimination Act 1991
- Information Privacy Act 2009

Appendix A: Guide to Ethical Decision Making

STEP 1

Ask yourself these six questions:

1. Is the action legal and consistent with council policy?
2. Is it consistent with the council's values and code of conduct?
3. Is it the 'right' thing to do? (What is your 'gut-feeling'?)
4. What will the consequences be for –
 - TRC?
 - your colleagues?
 - others?
 - yourself?
5. Can you provide sound reasons for your decision or action?
6. What would happen if your conduct was subjected to public scrutiny?

STEP 2

Consider your options

As your supervisor / Coordinator/Manager/Senior Leader/CEO/People Capability and Culture representative, or any person who is able to give sound, relevant advice.

What options and consequences are consistent with council's values, the five principles and your obligations under the Code?

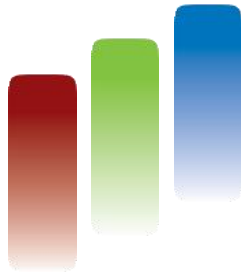
What are the costs and long term consequences?

STEP 3

Choose your course of action

Make sure your actions are:

- Within your power to take, legal and in line with policy and the Code
- Fair and able to be justified to your supervisor/Coordinator/Manager/Senior Leader/CEO, council and the public
- Documented so a statement of reasons can be supplied, consistent with council's stated vision, values and mission
- Supported by advice from council specialists, if this is appropriate



Live, discover and invest in a Tablelands community



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