

# POLICY

<b>TITLE:</b>	Code of Conduct Policy - Employees		
<b>DIVISON:</b>	Corporate Services - People and Culture		
<b>ADOPTED BY:</b>	Barkly Regional Council		
<b>DATE OF ADOPTION:</b>	August 2020	<b>DATE OF REVIEW:</b>	August 2023
<b>MOTION NUMBER:</b>	OC 271/20		
<b>POLICY NUMBER:</b>	HR 05		
<b>AUTHORISED:</b>	Chief Executive Officer		

**THIS POLICY APPLIES TO:**  
All employees of the Barkly Regional Council

## SUMMARY

This Code of Conduct addresses the ethical responsibilities of all staff and details the high level of accountability and transparency expected in all activities by staff members of the Barkly Regional Council. This Code provides a guide and standard of expectation for all staff and insists on commitment to the highest standard of ethical and professional behaviour.

## PURPOSE

- To establish Barkly Regional Council's expectations with regard to actions/behaviour that may lead to disciplinary action.
- To identify specific examples of the types of conduct or performance not acceptable in the workplace.
- To set out Barkly Regional Council's disciplinary, counselling and dismissal procedures that will be applied to manage unacceptable performance or conduct.

## SCOPE

The Code of Conduct applies to all employees of Barkly Regional Council. When a new employee starts with Council, it is a condition of his/her employment that the Code of Conduct is accepted and abided by during the course of his/her employment.

## APPLICATION

The Code of Conduct is divided into two main categories: serious misconduct and less serious misconduct. Where it is substantiated that an employee has engaged in such conduct, Barkly Regional Council's disciplinary procedures shall apply.

## **SERIOUS MISCONDUCT**

Serious Misconduct occurs where an employee's actions or behaviours are considered serious in nature and if substantiated, may result in instant dismissal.

The below list contains examples of the types of actions, which may constitute serious misconduct. *Note:* The list is not limited to, but is inclusive of the following:

- a) Refusing to obey a lawful and reasonable instruction; this includes a refusal to perform assigned work, alternative duties, or continuous refusal to work reasonable overtime as requested in accordance with the employee's relevant employment agreement.
- b) Falsifying or being a party to the falsification of Barkly Regional Council's, or subcontractors', documents or records. This includes, but is not limited to, timesheets, incident reports, expense claims and leave records.
- c) Wrongfully taking, removing, or dealing with Barkly Regional Council's, subcontractors' or employees' property.
- d) Any fraudulent acts including tampering with financial records and/or processes.
- e) Unauthorised possession and/or movement of Barkly Regional Council's, subcontractors' or other employees' property. This includes scrap or damaged items.
- f) Driving a Barkly Regional Council's vehicle in a dangerous or intimidatory manner.
- g) Unauthorised use of Barkly Regional Council's or subcontractors' equipment or vehicles, including driving Barkly Regional Council's vehicles while disqualified from driving.
- h) Intimidating, bullying, harassing other employees, ratepayers, subcontractors, or members of the public.
- i) Assaulting (either verbally or physically) other employees, ratepayers, subcontractors, or members of the public while representing Barkly Regional Council.
- j) Sexual harassment in Barkly Regional Council's workplaces.
- k) Inappropriate use of Barkly Regional Council's technology, including a breach of the IT Acceptable Use and Social Media Policies.
- l) Divulging confidential information, unauthorised possession of Barkly Regional Council's documents or making public statements (including on social networking sites) detrimental to Barkly Regional Council's operation.
- m) Wilful, irresponsible, or negligent acts, which result or could result in damage and/or loss to subcontractors', suppliers', Barkly Regional Council's or employee property, product, or personnel.

- n) Participation in corruption or offering to provide anything of value directly or indirectly to individuals to secure an undue advantage. Additionally, prohibition from soliciting or accepting any gifts or gratuities from any persons having business dealings with Council (e.g. subcontractors, suppliers, contractors).
- o) Use or misuse of your official position or appointment for personal gains or to benefit/ favour your relatives or friends.
- p) Failure to declare any conflicts of interest that affects your objectivity in carrying out your duties.
- q) Asking for or accepting a fee or other benefit for doing something as a local government employee.
- r) Being absent from the workplace during a period in which a request for leave has been declined.
- s) Refusing to undergo medical examination by a medical practitioner nominated by Barkly Regional Councillor by an independent third party when lawfully requested to do so.
- t) Failing to comply with health and safety regulations, safety signs, equipment isolation and site entry procedures.
- u) Sleeping whilst on duty.
- v) Being imprisoned whilst employed by Barkly Regional Council.
- w) Breaches of the Barkly Regional Council's key policies, including but not limited to, the Code of Conduct, the Safety Rules and the Drug and Alcohol Policy
- x) Actions that have the potential to bring Barkly Regional Council into disrepute.
- y) Actions that have caused, or have the potential to cause, Barkly Regional Council to lose trust and confidence in the employee, including dishonesty, lack of integrity and unfair behaviour.
- z) Behaving or inciting unlawful stop work action or riotous behaviours.
- aa) Other offence deemed by the management as a termination offence under common law or which is deemed contrary to safety, security, good working practices or a serious contravention to the Employer's. Such other matters as may be advised by Barkly Regional Council from time to time.

### **LESS SERIOUS MISCONDUCT**

Less serious misconduct occurs where an employee's actions or behaviours are considered less serious in nature. The following list contains examples of the types of actions, which may constitute less serious misconduct and may result in a warning being issued but could also result in dismissal depending upon the severity of the incident and if there has been a repeat of the behaviour.

- a) Failure to commence work on time, return from breaks on time and leave work at the authorised time.
- b) Leaving the assigned work area during the scheduled work period without the permission of the supervisor, unless required to do so in the performance of the duties.
- c) Leaving the workstation at the completion of a shift before being relieved by the oncoming shift relief, or having gained the approval of the shift supervisor.
- d) Failure to advise the supervisor, within the specified timeframe (or as soon as practical in the case of an emergency) of the unavailability to attend work.
- e) Reporting to work in such a physical condition as to be unable, in Barkly Regional Council's opinion, to safely perform work.
- f) Being absent from work without authorisation and/or notification.
- g) Acting in an irresponsible manner, defacing Barkly Regional Council's property or indulging in practical jokes which may endanger, or have the potential to endanger, other employees.
- h) Inappropriate use of Barkly Regional Council's equipment including, but not limited to, telephones (mobile and landline), fax machines, printers and computers.
- i) Failing to perform work to a reasonable standard and/or to complete scheduled work within an acceptable timeframe.
- j) Failing to act in a courteous manner towards Barkly Regional Council's employees, ratepayers, subcontractors, or members of the public.
- k) Failing to maintain the work area in a clean and orderly state.
- l) Failing to ensure your actions do not breach or infringe on the *Copyright Act 1698 (Cth)*
- m) Breaches of other Barkly Regional Council's policies and such other matters as may be advised by the employer from time to time.
- n) Failure to declare any secondary employment to the CEO.

## RELEVANT POLICIES

Policies to be read in conjunction with the Barkly Regional Council Code of Conduct:

- Barkly Regional Council Social Media Policy
- Barkly Regional Council IT Acceptable Use Guidelines
- Barkly Regional Council Employee Grievances and Dispute Resolution Policy
- Barkly Regional Council Drugs and Alcohol Policy
- Barkly Regional Council Anti-Discrimination Policy
- Barkly Regional Council Bullying and Harassment Policy
- Barkly Regional Council Gifts and Benefits Policy

**IMPLEMENTATION AND DELEGATION**

This code of conduct applies to all Staff. This policy is delegated to the CEO for implementation.

**VARIATIONS, REVOCATIONS AND/OR CHANGES TO THE CODE OF CONDUCT**

Barkly Regional Council’s reserves the right to revoke and/or amend the Code of Conduct from time to time as is considered necessary to better manage its business and/or to comply with any legislative requirements. Employees will be given sufficient notice of any such revocations, amendments, or changes.

**Acknowledgement**

I, \_\_\_\_\_ (*Print full name*) have read and understood the Barkly Regional Council Code of Conduct and I agree to abide by this code which is outlined above.

Employee signature: \_\_\_\_\_ Date signed: \_\_\_\_\_