

POLICY

TITLE:	Code of Conduct (CEO)		
DIRECTORATE:	Council		
ADOPTED BY:	Council Resolution: OMC-24/355		
DATE OF ADOPTION:	29 November 2024	DATE OF REVIEW:	29 November 2026
POLICY NUMBER:	101		
LEGISLATIVE REF:	<i>Local Government Act 2019; Section 175 (the Act)</i>		

1. INTRODUCTION

1.1. Purpose

Barkly Regional Council (BCR) is required to conduct its business with integrity, honesty and fairness in compliance with all relevant laws, regulations, codes and corporate standards. The Code of Conduct (CEO) is principles based rather than a set of specific rules. It is intended to set standards and provide guidance to elected members, council staff and the public about how the CEO will carry out their responsibilities.

1.2. Scope

This Code of Conduct applies to the Chief Executive Officer (CEO) of BRC.

The Code sets out standards that Council and the public have a right to expect of the CEO. Council's policies and procedures underpin the Code and as such are intrinsically linked to it.

This Code does not apply to Elected Members or Council Staff, who must adhere to separate Codes of Conduct.

2. PRINCIPLES

2.1 Honesty, Integrity and Accountability

The CEO must:

- a) Exercise proper diligence, care and attention to the performance of duties;
- b) Maintain and enhance public confidence in the integrity of BRC;
- c) Act with the highest levels of integrity, honesty, accountability and transparency;
- d) Act with courtesy towards all people including other Council staff, elected members and members of the public;
- a) Show respect for differing cultural beliefs and practices by embracing and promoting cultural diversity within Council and the communities it serves;
- b) Act as a role model by demonstrating professional, ethical, respectful and inclusive behaviour;
- c) Avoid conflicts of interest and disclose any conflicts as outlined in the *Conflict of Interest Policy*;

2.2 Support for Council

The CEO must:

- a) Provide full support to Council;
- b) Provide accurate, frank and impartial advice to Council;
- c) Implement Council Policies and decisions;
- d) Be familiar with and comply with the requirements of the Act and other legislative, industrial or administrative requirements relevant to the CEO's official responsibilities;
- e) Take all reasonable steps to ensure that the information upon which the CEO's decisions or actions are based is factually correct and relevant to the decisions or actions;

- f) Maintain confidentiality of information; and
- g) Comply with this Code of Conduct.

2.3 Management of Council Staff

In relation to the management of Council staff, the CEO must ensure that:

- a) Appropriate documented processes and procedures are in place;
- b) Selection processes for appointment or promotion are fair, equitable and based on merit;
- c) Staff have reasonable access to training and development and opportunities for advancement and promotion;
- d) Staff are treated fairly and consistently and are not subject to arbitrary or capricious decisions;
- e) there are suitable processes for dealing with employment-related grievances;
- f) Confidentiality of personal, sensitive and health information and Council records are managed in accordance with relevant legislation, policies and procedures; and
- g) working conditions are safe and healthy.

2.4 Protection of Council Assets and Information

The CEO must implement appropriate controls to best protect and preserve BCR's assets and information. The CEO must not misuse information gained in the CEO's official capacity.

Misuse includes, but is not limited to:

- a) seeking to gain personal advantage for self, or for another person, on the basis of information held on official records;
- b) initiating or spreading gossip or rumours on the basis of personal or other information held on official records; and
- c) providing a person, or appearing to provide a person, with favourable treatment or access to privileged information.

The CEO must take care to maintain the integrity and security of documents and information.

2.5 Use of official facilities, equipment and resources

The CEO must not utilise Council equipment, or the skills or working time of Council staff members, for personal benefit.

2.6 Gifts and Benefits

The CEO must not solicit, encourage or accept gifts or private benefits from any person who might have an interest in obtaining a benefit from the Council and in accordance with the *Gifts & Benefits (CEO) Policy*.

The CEO must not accept a gift from a person that is given in relation to the person's interest in obtaining a benefit from the Council.

2.7 Disclosure of Offences Against the Law

If the CEO is charged, convicted or acquitted of an offence, the CEO must advise the Council regardless of whether the CEO believes the offence relates directly to the CEO's assigned duties.

2.8 Outside Employment

Outside employment for the CEO is not allowed, except in exceptional circumstances and approved by the Council in writing.

When considering an application from the CEO to undertake outside employment, the Council will give approval only if the outside employment:

- a) could not be perceived by a reasonable person to be a conflict of interest; and
- b) will not interfere with the performance of the CEO's duties.

Any outside employment or voluntary work must be performed wholly in the CEO's private time.

2.9 Decisions based on Statutory Power

Where the CEO makes a decision based on a statutory power, the CEO must:

- a) Ensure the legislation under which the decision is made authorizes the making of the decision;
- b) Ensure that the CEO has the authority or the delegation to make the decision;
- c) Ensure that any procedures which are required by law to be complied with in the making of a decision has been observed; and
- d) Ensure that the decision, the evidence upon which it is based, and the reasons for the decision are properly documented.

2.10 Unlawful Behaviour

The CEO must not act in an unlawful way, not limited to ensuring that the actions of the CEO do not discriminate, harass, sexually harass or victimise another person or group.

Where such behaviours are proven, and depending on the severity of these, they may be referred to the Police or other relevant authority.

3. REPORTING BREACHES OF THE CODE OF CONDUCT

Please refer to Council's *Breach of the Code of Conduct Policy* on Council's website, which contains the requirements to follow to report a Breach of the Code of Conduct pertaining to the CEO.

4. REMEDIES OF A BREACH OF THE CODE OF CONDUCT

Council will consider appropriate corrective and/or disciplinary action where a breach of the Code of Conduct (CEO) has been committed, in accordance with the CEO's employment contract and/or established policies and procedures of Council.

5. RELEVANT POLICIES

Policies and procedures to be read in conjunction with this policy are:

- 1) All relevant Council Policies

6. IMPLEMENTATION AND REVIEW

6.1. Implementation

Relevant personnel will be made aware of the Code of Conduct; and this Code of Conduct will be published on the Barkly Regional Council website at <https://www.barkly.nt.gov.au/council-documents/policies>.

6.2. Review

The Code of Conduct will be reviewed on or before 29 November 2026.

7. VARIATIONS, REVOCATIONS AND/OR CHANGES

Barkly Regional Council reserves the right to revoke and/or amend this policy 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.

8. APPROVAL

This policy is approved.

Chris Kelly
Chief Executive Officer


Signature

29 Nov 2024
Dated

END