

POLICY

TITLE:	Code of Conduct (Staff)		
DIRECTORATE:	Office of the CEO		
ADOPTED BY:	Chief Executive Officer (CEO)		
DATE OF ADOPTION:	29 Nov 2024	DATE OF REVIEW:	29 Nov 2026
POLICY NUMBER:	200		
LEGISLATIVE REF:	Local Government Act 2019; Section 175		

1. INTRODUCTION

1.1. Purpose

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

1.2. Application of the Code of Conduct

Council policies, guidelines and procedures provide the details of the Standards which this Code of Conduct (“the Code”) summarises. Any action or conduct which breaches those standards may equally constitute a breach of the Code.

If an individual has any doubts about a particular course of conduct, they are encouraged to consult the Code of Conduct, the specific relevant policies, and/or raise their concerns with their Manager and/or the Manager, Human Resources, and/or with the CEO if necessary.

1.3. Scope

Council’s policies and procedures underpin the Code and as such are intrinsically linked to it.

This Code applies to employees and volunteers of Council. Council may bind non-employees such as contractors and consultants to the Code, as deemed necessary and as notified to the individual. For the purpose of this Policy, ‘staff’ will encompass these individuals.

This Code does not apply to Elected Members or the CEO, who are required to adhere to the *Code of Conduct (Members & Local Authorities)*, and *Code of Conduct (CEO)*.

The Breach of Code of Conduct Policy does not apply to breaches of this Code of Conduct by staff.

2. PRINCIPLES

2.1 Honesty, Integrity & Accountability

- a) The need to act with integrity is fundamental to the Code of Conduct and this involves your commitment to the highest ethical standards and accepting personal accountability to carry out your official duties in a manner which does not bring Council, its employees, volunteers, contractors or agents into disrepute, and which does not constitute unlawful behaviour.
- b) You are required to exercise proper diligence, care and attention to perform your duties to the best of your ability in a professional manner, in accordance with your contract of employment, position description, and/or with any other agreements, training or direction received.

- c) Council expects you to conduct yourself appropriately when you are representing or can be associated with Council and to treat all persons with respect and courtesy, showing proper regard for their rights and responsibilities.
- d) You are required to maintain and enhance public confidence in the integrity of BRC and must not take improper advantage of their official powers, privileged information or resources for private gain including appropriate handling of finances and assets in accordance with relevant policies and procedures, and the *Fraud & Corruption Policy*.
- e) You are required to act with courtesy towards all people, not limited to other staff, volunteers, elected members, contractors, government agencies and members of the public.
- f) You must act in accordance with your position requirements and any authorised delegation (including any terms and conditions) provided to you and in accordance with the *Delegations Manual*.
- g) You will provide friendly, respectful and proactive customer service delivery, consistent with Council's mission, values, legislation, this Code and general expectations communicated to you.
- h) You must ensure that your decisions are based on an honest, reasonable and properly informed judgment about what best advances the best interests of Council.

2.2 Respect for Cultural Diversity & Inclusion

- a) You are required to show respect for differing cultural beliefs and practices by embracing the cultural diversity of the people we work with and the people of the communities we serve.
- b) You will respect individual identities by acknowledging and honoring each person's unique cultural background; and you will foster an environment of acceptance and belonging.
- c) You will be a role model by demonstrating inclusive behaviour and you will inspire others to embrace cultural diversity and promote respect.
- d) You will celebrate diversity by actively participating in cultural events and learning about different traditions; contributing to a more vibrant and inclusive workplace and community.

2.3 Conflicts of Interest

- a) You are required to disclose conflicts of interest (as defined) between your private interests and your duties and responsibilities at BRC as outlined in our *Conflict of Interest Policy*.
- b) You are required to avoid situations in which your personal interests' conflict with those of BRC, including ensuring that you do not unduly use your position within BRC for personal benefit or for the benefit of relatives or associates (as defined).
- c) You are required to declare any actual or potential conflicts of interest by completing the *Conflict of Interest Declaration Form* as soon as you become aware of a potential or actual Conflict.
- d) Senior employees and key managers are required to complete the *Annual Returns of Interest Disclosure Form (Staff)* within 14 days of commencement of employment and every year by 30 September, in accordance with the *Conflict of Interest Policy* requirements.
- e) When you express views publicly on matters of public interest as a private citizen, you must make clear that you are expressing your own personal opinions and not those of the Council.
- f) In any situation, any exchange of gifts or benefits may not result, or be perceived to result in, possible personal gain for the receiver or favourable treatment for the giver. Please refer to the *Gifts & Benefits Policy (Staff)* for more information.

2.4 Respect for Confidential and Personal Information

- a) Unless you have prior written consent to do so, you will not disclose confidential information (as described) to any third party.
- b) You are required to inform us if you become aware of anyone who does or attempts to disclose confidential information to any third party.

- c) If you are unsure what constitutes confidential information, you must seek clarification from your Manager or other appropriate person before disclosing such information.
- d) Personal information pertaining to any person must be handled in accordance with our *Privacy Policy, Accounting Privacy Policy, Confidentiality & Business Policy* and relevant associated requirements.
- e) You will protect personal information by safeguarding confidential information, including information which is sensitive; and you will help build trust with others and maintain their privacy.
- f) You must not improperly access or attempt to access, copy, download, upload, share or use personal or confidential information to gain an advantage for yourself or someone else, or cause detriment to Council.
- g) You will take precautions to secure digital communications and information, both your information and that of others, as required under our *ICT Acceptable Use Policy* and as required under your specific role.

2.5 Prohibition of Unlawful Conduct

- a) You must avoid activities that could involve yourself or Council in unlawful practice. If you are faced with any workplace legal proceeding or investigation, or any matter outside of work which could name or otherwise damage the reputation or viability of Council, you are obliged to disclose this to your Manager immediately.
- b) You are required to comply with our *Work Health and Safety Policy* and all other associated policies, procedures, guidelines and work instructions, including training, certification and reasonable and lawful instructions to ensure that your safety and the safety of all others is observed.
- c) If you have any concerns relating to health and safety in the workplace you are required to immediately report these and any incidents to your Manager.
- d) You will not allow alcohol, prescription or illegal drugs to affect your performance at work, as outlined in the *Alcohol & Drug Policy*, and *Fatigue Management Policy*.
- e) You are required to notify Council of any incidents, including near misses which occur in the workplace or in connection with the workplace, as outlined in the *Incident Reporting & Investigation Policy*.
- f) You must not bully, discriminate, harass, sexually harass or victimize another person in the course of performing your official duties. Such action will constitute serious misconduct subject to summary dismissal. See *EEO: Anti-Discrimination, Anti-Harassment and Anti-Bullying Policy*
- g) Team Leaders, Supervisors, Managers and Directors are required to ensure that their team members are adequately trained, supervised and directed, in order to effectively perform their duties as required by Council and in accordance with relevant legislation.

3. REPORTING BREACHES OF THE CODE OF CONDUCT

This Code of Conduct will only be effective if individuals take accountability for reporting any breaches of it. A breach to the Code of Conduct can be reported by speaking with your Manager and/or the Human Resources Manager and if necessary directly to the CEO.

Failure to comply with any of the provisions in this code of conduct may result in disciplinary action. In some cases, the breach may constitute a criminal offence or breach of other legislation and be prosecuted by an external authority such as the Police, the Independent Commissioner against corruption or WorkSafe.

Any such report will be dealt with sensitively and to the extent possible, confidentiality.

4. REMEDIAL ACTIONS TO BREACHES OF THE CODE

Remedial action to breaches of the Code may take various forms such as: education, coaching, re-training, performance improvement, mediation and mentoring. It may also be necessary to take disciplinary action up to and including termination of employment, in accordance with our *Discipline Policy*.

Issues concerning alleged breaches concerning this Code of Conduct and the involvement of external parties must be raised with the relevant Manager and/or CEO for appropriate resolution.

5. DEFINITIONS

A **Conflict of Interest** refers to a conflict between the public duty and private interests of a person associated with BRC, where such private interests could improperly influence the performance of their official duties. Please refer to the *Conflict of Interest Policy* for further information.

Confidential Information includes and is not limited to all information (whether or not it is described as confidential) in any form or medium concerning any past, present or future business, operations or affairs of BRC, its customers, volunteers and workers, including without limitation:

- All technical or non-technical data, patterns, programs, devices, methods, techniques, plans, drawings, models and processes and software and computer records
- All business and marketing plans and projections, details of agreements and arrangements with third parties, and customer and supplier information and lists
- All financial information, pricing schedules and structures, product margins and investment outlays
- All information concerning any worker, customer, contractor or agent of ours
- Policies and procedures of ours

Confidential Information does not include information that has come into the public domain other than by a breach of confidentiality.

A person is an **associate** of another person if:

- they are in a close family relationship; or
- they are in partnership; or
- one is a company and the other is a director or manager of the company; or
- they are related companies; or
- one is a private company and the other is a shareholder in the company; or
- a chain of relationships can be traced between them under one or more of the above paragraphs.

A relevant gift or benefit is a gift of benefit that exceeds the nominal value and includes a gifts or benefit offered to any person covered by this Code; or gift or benefit offered to any person for another person.

Nominal value means gifts or benefits totalling less than **\$50** from the same donor or an associate of the donor in a financial year.

6. RELEVANT POLICIES

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

- 1) All Council Policies and Procedures
- 2) Employment Contracts/Service Agreements/Contractor Agreements
- 3) Position Descriptions

7. IMPLEMENTATION AND REVIEW

7.1. Implementation

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

7.2. Review

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

8. 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.

9. APPROVAL

This policy is approved.

Chris Kelly
Chief Executive Officer



Signature

29 Nov 2024

Dated

END