

SHIRE OF MUNDARING



CODE OF CONDUCT



TABLE OF CONTENTS

Introduction	1
1 General Provisions	2
1.1 Definitions	2
Part 2 - Elected Members	3
2 Provisions Relating to Elected Members.....	3
2.1 General Principles Relating to Conduct of Elected Members.....	3
2.2 Elected Members' Conflict of Interest	3
2.3 Personal Behavior	4
2.4 Honesty and integrity	4
2.5 Development of Skills and Competence	5
2.6 Corporate Obligations.....	5
2.7 Relationships between Members and Employees	5
2.8 Appointment to Other Bodies	6
2.9 Access to Information and Confidentiality.....	6
2.10 Communication and Public Relations	6
2.11 Prevention of Corruption.....	7
2.12 Gifts	8
Part 3 - Committee Members.....	9
3.1 General Principles Relating to Conduct of Committee Members	9
3.2 Committee Members' Conflict of Interest.....	9
3.3 Personal Behavior	9
3.4 Honesty and Integrity	9
3.5 Development of Skills and Competence	10
3.6 Corporate Obligations	10
3.7 Relationships Between Committee Members and Employees.....	10
3.8 Access to Information and Confidentiality.....	10
3.9 Communications and Public Relations.....	11
3.10 Prevention of Corruption.....	11
3.11 Gifts	11
Part 4 - Employees.....	13
4.1 Conflict of Interest	13
4.2 Financial or Proximity Interest.....	14
4.3 Disclosure of Interest	14
4.4 Use of Information	15
4.5 Intellectual Property	16
4.6 Improper or Undue Influence	16
4.7 Gifts and Bribery.....	16
4.8 Personal Behavior	16
4.9 Honesty and Integrity	17
4.10 Performance of Duties	17
4.11 Compliance with Lawful Orders	18
4.12 Administrative and Management Practices	18
4.13 Professional Development	18
4.14 Corporate Obligation.....	18
4.15 Relationships between Employees and Members and Other Employees...	18
4.16 Appointment to External Organisations	19
4.17 Use of Local Government Funds and Equipment	19
4.18 Travelling and Sustenance Expenses.....	19
4.19 Prevention of Fraud, Illegality and Improper Conduct	19

Introduction

This Code of Conduct (**Code**) provides Members, Committee Members and employees with consistent guidelines for acceptable standards of conduct.

This Code addresses the broad issues of ethical responsibility, and encourages accountable and open local government. The Code is complementary to the principles and aims contained in:

- (a) the *Local Government Act 1995* (**LG Act**);
- (b) the *Local Government (Administration) Regulations 1996* (**Administration Regulations**); and
- (c) the *Local Government (Rules of Conduct) Regulations 2007* (**Rules of Conduct Regulations**).

Those principles and aims include:

- better decision making;
- greater community participation;
- greater accountability;
- more efficient and effective local government.

The Code in relation to gifts deals with the specific requirements of Regulation 12 of the Rules of Conduct Regulations and Regulations 34B and 34C of the Administration Regulations.

1 General Provisions

1.1 Definitions

In this Code:

“CEO” means the CEO of the Shire;

“Committee” means a Committee of the Council;

“Committee Member” means a member of a Committee whether an Elected Member, an employee or an other person;

“Council” means the Council of the Shire;

“Elected Member” means an Elected Member of the Council;

“employee” means an employee of the Shire;

“interest” has the meaning given to the term in section 5.60 of the LG Act;

“Local Government” means the Shire;

“Member” means an Elected Member, and in relation to a Committee of the Council, means an employee or other person appointed to the Committee;

“other person” means a person appointed to a Committee who is not an Elected Member or an employee;

“President” means the President of the Shire; and

“Shire” means the Shire of Mundaring.

Part 2 - Elected Members

2 Provisions Relating to Elected Members

2.1 General Principles Relating to Conduct of Elected Members

- (1) Elected Members' conduct is required to comply with the provisions of the LG Act, the Rules of Conduct Regulations and the Administration Regulations, as well as all other laws relating to Councils and Council Members.
- (2) In relation to the laws applying to Elected Members noted in clause 2.1(1), this Code is not intended to:
 - (a) diminish or modify those laws; or
 - (b) reproduce or repeat those laws.
- (3) In addition to all other obligations affecting their conduct, and without affecting the operation of the specific provisions relating to Elected Members in this Code, Elected Members are required, when acting in or incidental to their official capacities as Council Members, to apply the following principles in their conduct:
 - (a) act with reasonable care and diligence; and
 - (b) act with honesty and integrity; and
 - (c) act lawfully; and
 - (d) avoid damage to the reputation of the local government; and
 - (e) be open and accountable to the public; and
 - (f) base decisions on relevant and factually correct information; and
 - (g) treat others with respect and fairness; and
 - (h) not be impaired by mind affecting substances.

2.2 Elected Members' Conflict of Interest

Elected Members:

- (a) should ensure there is no actual conflict or incompatibility between their personal interests and the impartial fulfilment of their official duties;
- (b) are not to engage in private work with or for any person or body with an interest in a proposed or current contract with the Shire without first making disclosure to the Council, and in this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided;
- (c) in accordance with the LG Act and the Administration Regulations and Rules of Conduct Regulations, are to disclose any interest they have in any matter to be discussed at a Council or Committee meeting they will attend;

- (d) when required to deal with the Shire in their personal capacity, shall disclose to employees the fact that they are acting in their personal capacity and not in their official capacity as Members of the Council;
- (e) who have an interest in an agenda item shall not discuss that item with other Elected Members at gatherings of the Council immediately prior to a meeting at which that agenda will be presented; and
- (f) are not to provide information to other Elected Members in relation to matters in which they intend to, or have an obligation to, disclose an interest if the matter arises at a meeting of the Council, unless that information is to be officially tabled for inclusion in the Council's records.

2.3 Personal Behavior

Elected Members will:

- (a) act and be seen to act properly and in accordance with the requirements of the law and the terms of this Code;
- (b) perform their duties impartially and in the best interests of the whole of the Shire uninfluenced by fear or favour;
- (c) act in good faith (ie. honestly, for proper purposes, and without exceeding their power) in the interests of the Shire;
- (d) make no allegation or comment which is derogatory of the Shire, the Council, any other Elected Member, any employee, or any other person, or make any allegation or comment which is otherwise improper;
- (e) refrain from any form of conduct, in the performance of their official duties, which may cause any reasonable person unwarranted offence or embarrassment;
- (f) always act in accordance with their obligation of fidelity to the Council and the Shire; and
- (g) represent and promote the interests and decisions of the whole of the Council, and of the Shire, at all times, whilst recognising their special duties to their constituents.

2.4 Honesty and integrity

Elected Members will:

- (a) be frank, honest and fair in their official duties with each other and in the performance of their duties as Elected Members;

- (b) be objective and consider all relevant information presented at a Council meeting, prior to making a decision;
- (c) promptly bring to the notice of the President or the CEO any dishonesty or improper conduct on the part of any other Elected Member, Member or employee which has come to their notice, or which they suspect on reasonable grounds; and
- (d) when participating in any decision-making process, remain objective. Objectivity involves a state of mind which imposes on an individual the obligation to be fair and impartial, intellectually honest and free of conflicts of interest and bias.

2.5 Development of Skills and Competence

Elected Members must continually strive to improve their skills and competence as Elected Members, and to maintain their knowledge and encourage the development of the skills and competence of fellow Elected Members and employees associated with them.

2.6 Corporate Obligations

As a representative of the community, an Elected Member needs to be not only responsive to community views, but to adequately communicate the attitudes and decisions of Council when it is appropriate to do so. In doing so, an Elected Member should acknowledge and ensure that:

- (a) as a Member of Council there is respect for the decision-making processes of the Council noting that decisions are made by the statute-sanctioned majority;
- (b) information relating to decisions of the Shire on approvals, permits and other determinations on applications should only be communicated in an official capacity by a designated officer of the Shire; and
- (c) information concerning adopted policies, procedures and decisions of the Council or the Shire, or a person or body exercising delegated authority, is to be conveyed accurately.

2.7 Relationships between Members and Employees

In order to work effectively an Elected Member will work as part of the Council team with the CEO and other Elected Members. That teamwork will only occur if Elected Members and employees have a mutual respect and co-operate with each other to achieve the Shire's corporate goals and strategies. To achieve that position Elected Members need to:

- (a) accept that their role is one of leadership and not a management or administrative one;

- (b) acknowledge that they have no capacity to individually direct employees to carry out particular functions;
- (c) not expect work to be expedited by employees in relation to requests or complaints that they make about matters in which they or a person closely associated with them has an interest.

2.8 Appointment to Other Bodies

As part of their representative role, Elected Members are often asked to represent Council or the Shire on external organisations. It is important that Elected Members:

- (a) clearly understand the basis of their appointment and their position as representatives of Council; and
- (b) provide regular reports to Council on the activities of the organisation.

2.9 Access to Information and Confidentiality

Elected Members acknowledge that they:

- (a) will be entitled to access all information necessary for them to properly perform their functions and comply with their responsibilities as Elected Members;
- (b) will only be given access to Shire information relating to a matter currently requiring consideration or determination by the Council, and that is available to any other elector, ratepayer or resident of the Shire;
- (c) will ensure that information or documents that do not form part of the official records of the Shire or are not otherwise known to decision-makers, are not used in the decision-making process of Council; and
- (d) so far as is reasonable and practicable in the interests of the effective operation and maintenance of the reputation of the Council and the Shire, should apply the principle that information they receive specially in their capacities as Elected Members is kept confidential, consistent with the principle of cabinet confidentiality that applies in Federal and State governments.

2.10 Communication and Public Relations

Elected Members:

- (a) when communicating in their official role will reflect the policies, decisions and objectives of the Shire and be accurate, professional and polite at all times;

- (b) will respect the decision-making processes of the Council and the majority decisions of the Council;
- (c) will recognise that unswerving allegiance to their personal opinions may result in them being unable to make objective decisions for the good governance of the Shire as they are required to do;
- (d) may express their personal opinions on a matter before Council, however, any expression of personal opinion must be respectful and tolerant of the right of individual team members and other affected persons to hold and express different opinions, and at the same time must appreciate that a personal opinion may need to give way to an objective assessment of the merits of the matter when performing a quasi judicial function, or in the observance of the good governance of the Shire;
- (e) will, once Council has made a decision, recognise their collegiate duty and support that decision, irrespective of their own individual opinions;
- (f) will recognise that the CEO is Council's chief advisor and the CEO will brief the Council or individual Members and other persons on Council matters when necessary;
- (g) will recognise that the official spokesperson for the Council and the Shire is the President or, with the agreement of the President, the CEO;
- (h) will not, unless authorised by Council or the President or the CEO, make a public statement that purports to be made, or could reasonably seem as being made, on behalf of the Shire or the Council.

2.11 Prevention of Corruption

Elected Members:

- (a) without interfering in the functions of the CEO, should ensure that corruption controls have been established and maintained in the Shire;
- (b) must report to the President or CEO any evidence or suspicion they have on reasonable grounds, of corruption on the part of any other Elected Member, employee or other person; and
- (c) generally should be mindful of the requirements of the corruption and crime legislation.

In this context, "corruption" includes the whole range of conduct defined as corruption under the Corruption and Crime Commission Act 2003, including dishonesty, bias or other serious improper conduct.

2.12 Gifts

The rules relating to gifts affecting Elected Members are set out in Regulation 12 of the Rules of Conduct Regulations. (Copy attached)

Part 3 - Committee Members

3 Provisions Relating to Committee Members

3.1 General Principles Relating to Conduct of Committee Members

- (1) The provisions of clause 2.1 relating to the conduct of Elected Members apply, with any necessary modifications of terminology, to the conduct of Committee Members.
- (2) It is noted in regard to clause 2.1 that the Rules of Conduct Regulations do not apply directly to Committee Members who are employees or other persons.

3.2 Committee Members' Conflict of Interest

- (1) The provisions of clause 2.2 relating to Elected Members' conflict of interest apply, with any necessary modifications of terminology, to Committee Members' conflict of interest.
- (2) It is noted in regard to clause 2.2(c) that the Rules of Conduct Regulations do not apply directly to Committee Members who are employees or other persons.

3.3 Personal Behavior

- (1) The provisions of clause 2.3 relating to Elected Members' personal behaviour apply with any necessary modifications of terminology to the personal behaviour of Committee Members.
- (2) It is noted in regard to clause 2.3(g) that it cannot be said that employees or other persons are required to recognise any special duty to constituents.

3.4 Honesty and Integrity

- (1) The provisions of clause 2.4 relating to the honesty and integrity of Elected Members, save for clause 2.4(c), apply, with any necessary modifications of terminology, to the honesty and integrity of Committee Members.
- (2) In regard to clause 2.4(c), the requirement of that provision applies equally to Committee Members save that a Committee Member who is an employee should promptly bring to the notice of the CEO, and a Committee Member who is an other person should promptly bring to the notice of the CEO or the President, any dishonesty or improper conduct on the part of any other Committee Member which has come to their notice, or which they suspect on reasonable grounds.

3.5 Development of Skills and Competence

The provisions of clause 2.5 relating to the development of skills and competence of Elected Members apply, with any necessary modifications of terminology, to the development of skills and competence of Committee Members.

3.6 Corporate Obligations

Whenever it is required or appropriate for a Committee Member to communicate the attitudes and decisions of the Committee, the Committee Member should acknowledge and ensure that:

- (a) as a Committee Member, there is respect for the decision-making processes of the Committee noting that decisions are made by majority;
- (b) information relating to resolutions or recommendations of the Committee in relation to any approval, permit or other determination on applications, should only be communicated in an official capacity by a designated employee of the Shire; and
- (c) information concerning any decision of the Committee is to be conveyed accurately.

3.7 Relationships Between Committee Members and Employees

Committee Members:

- (a) will not attempt to interfere directly in the management or administration of the Shire except to the extent that the Committee Member, as an employee, has a duty to do so;
- (b) has no capacity to individually direct employees of the Shire to carry out any particular function, or generally, save to the extent that a Committee Member who is an employee may be required to do so in performance of the employees duties as such; and
- (c) will not, except through the CEO, make any requests or complaints in regard to work to be performed by the Shire, and will not expect work to be expedited by employees in relation to any request or complaint so made, except to the extent that a Committee Member who is an employee may be required to do so in performance of the employee's duties as such.

3.8 Access to Information and Confidentiality

The provisions of clause 2.9 relating to access to information and confidentiality on the part of Elected Members apply, with any necessary

modifications of terminology, to access to information and confidentiality on the part of Committee Members.

3.9 Communications and Public Relations

- (1) Save for clauses 2.10(g) and 2.10(h), the provisions of clause 2.10 relating to communications and public relations by Elected Members apply, with any necessary modifications of terminology, to the communications and public relations of Committee Members.
- (2) In regard to clauses 2.10(g) and 2.10(h), Committee Members are not at any time to make a public statement that purports to be made, or could reasonably be seen as being made on behalf of the Shire, the Council or the relevant Committee, and Committee Members are to recognise that in all things the official spokesperson for the Council and any Committee is the President, or with the agreement of the President, the CEO.

3.10 Prevention of Corruption

Committee Members:

- (a) if they are employees, must report to the CEO any evidence or suspicion they have on reasonable grounds, of corruption on the part of any other Committee Member;
- (b) Committee Members who are other persons must report to the President or the CEO any evidence or suspicion they have on reasonable grounds, of corruption on the part of any other Committee Member; and
- (c) generally should be mindful of the requirements of the corruption and crime legislation.

In this context, “corruption” includes the whole range of conduct defined as corruption under the Corruption and Crime Commission Act 2003, including dishonesty, bias or other serious improper conduct.

3.11 Gifts

- (1) The rules relating to gifts affecting Elected Members are referred to in clause 2.12 and apply to them in their capacities as Committee Members.
- (2) The rules relating to gifts affecting employees are set out in Regulation 34B of the Administration Regulations. (Copy of Regulation 34B is attached)
- (3) Committee Members who are other persons should apply the rules relating to gifts affecting employees set out in Regulation 34B of the

Administration Regulations with any necessary modifications to reflect their specific positions as Committee Members who are other persons, with the intent that the standard of conduct in relation to gifts applicable to employees should also be applied so far as possible to Committee Members who are other persons.

Part 4 - Employees

4 Provisions Relating to Employees

4.1 Conflict of Interest

Employees:

- (a) should ensure that there is no actual conflict or incompatibility between their personal interests (financial or otherwise) and the impartial fulfilment of their professional duties;
- (b) must not engage in private work with or for any person or body with a financial interest in a proposed or current contract with the Shire without first making disclosure to the CEO. In this respect, it does not matter whether the employee in fact obtains advantage or in fact suffers disadvantage, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided;
- (c) must obtain written approval from the CEO prior to undertaking dealing in land in respect of which there may be a conflict with the functions of the Shire (other than purchasing a principal place of residence) or any outside employment or other business dealings that relate to the activities of the Shire;
- (d) who exercise a recruitment or other discretionary function must before dealing with relatives or close friends, disclose the relationship and, whenever possible, or if in doubt, should disqualify themselves from dealing with those persons;
- (e) are made aware that if they contemplate running for election to Council, or to State or Federal Parliament, there may either be a conflict of interest or an appearance of a conflict of interest in the performance of their duties;
- (f) wishing to undertake employment outside of the Shire should first obtain the approval of the CEO. No such other employment should compromise or be capable of compromising the activities performed by the Shire;
- (g) are to disclose any interest they have in any matter to be discussed at a Council or Committee meeting that will be attended by the employee or in respect of which the employee has given or will give advice or will give a report. The disclosure is to be made at the meeting if the employee is in attendance. In all other instances the disclosure is to be made to the CEO immediately the employee becomes aware that the matter in which he/she has an interest is to be discussed as mentioned above;

"Interest" in this section has the meaning given to it in section 5.60 of the LG Act (financial and proximity interests) and in Regulation 34C of the Administration Regulations (impartiality interest). (Copy attached)

- (h) when required to deal with an employee of the Shire in person shall disclose to the employee the capacity in which they are acting, i.e. as an employee or as a private individual;
- (i) who have a personal, financial or proximity interest in a matter are to raise issues relative to that matter only with the relevant Executive Manager or the CEO and not with other employees;
- (j) are not to provide written information to any Member in relation to a matter in which they propose later to disclose an impartiality, financial or proximity interest, or in relation to which there would later be an obligation to disclose an impartiality, financial or proximity interest, unless a copy of that written information is officially recorded and filed in the Shire's records; and
- (k) who hold an impartiality, financial or proximity interest in an agenda item shall not discuss that item with Members at gatherings of the Council or a Committee immediately prior to or during a meeting at which that agenda item is proposed to be presented.

4.2 Financial or Proximity Interest

- (1) An employee who has an interest in a matter within the meaning of the term "interest" in section 5.60 of the LG Act (financial or proximity interest) likely to be considered by a meeting of a Committee of which the employee is a Member, is not to take part in discussion or vote on the matter.
- (2) The obligation of an employee to disclose a financial or proximity interest at a meeting in relation to a matter on which the employee is to give advice or provide a report is set out in paragraph (g) of 4.1 above.
- (3) The onus is on employees to identify any possible impartiality, financial or proximity interest and to determine and comply with any obligation imposed in respect of such an interest under this Code of Conduct and any written law.
- (4) Notwithstanding any provision in this Code of Conduct, employees are required to comply in all respects with the provisions of the LG Act and the Administration Regulations relating to financial, proximity and impartiality interests.

4.3 Disclosure of Interest

- (1) Where an employee has an impartiality, financial or proximity interest in any matter which under the preceding provisions of this Code of

Conduct ought to be disclosed, or which might be perceived as being in conflict with the interest of another person capable of being affected by a decision of the Council, the interest of the employee must be disclosed to the CEO prior to any relevant meeting, or at the meeting if prior disclosure is not possible.

- (2) Whenever disclosure of an interest by an employee is required or recommended by this Code or any other law, the disclosure should be made immediately the employee becomes aware of the circumstances which give rise to the requirement of disclosure, and should be made fully explaining at least the nature of the employee's interest, as a record will be kept in a special register.

4.4 Use of Information

- (1) Employees must not use confidential information for any purpose other than the performance of their duties as employees.
- (2) Employees must not make improper use of any information acquired in the performance of their duties as employees of the Shire:
 - (a) to gain directly or indirectly an advantage for themselves or any other person; or
 - (b) to cause detriment to the Shire or any other person.
- (3) Employees:
 - (a) subject to the following, are entitled to access to all information necessary for them to properly perform their duties and functions;
 - (b) must ensure that information provided to them will be used properly and to assist in the process of making reasonable and informed decisions on matters affecting the Shire, and in reporting, and in performing any other of their duties and functions; and
 - (c) who have a personal interest in a matter, whether it be of a financial, proximity or any other nature, will not have access to Shire information relating to that matter unless:
 - (i) the information is freely available to any member of the public; or
 - (ii) the CEO with knowledge of the personal interest and has authorised the access in writing.

- (4) If called upon by the CEO to do so, will sign an agreement in the form of or to the effect of the Confidentiality Agreement attached to this Code.

4.5 Intellectual Property

The title to intellectual property produced, acquired or arising out of the performance of any function or duty under a contract of employment will vest upon its creation or unless otherwise agreed by separate contract, in the Shire.

Intellectual property includes, but is not restricted to knowledge and individual gains from access to privileged information, or which information is part of the systems of the Shire, or which is only available to employees through their employment with the Shire, and employees must acknowledge that such information is the property of the Shire and is not to be used for personal gain of the employee or any other person.

4.6 Improper or Undue Influence

Employees must not take advantage of their position to improperly influence other employees in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body, or to cause any detriment to any person.

4.7 Gifts and Bribery

- (1) Employees must not seek or accept (directly or indirectly) from any person or body, any immediate or future gift, reward or benefit for themselves or for any other person or body, relating to their status with the Shire or their performance of any duty or function which touches or concerns the Shire;
- (2) If any gift, reward or benefit is offered (other than gifts of a token kind, or moderate acts of hospitality) disclosure must be made in a prompt and full manner and in writing for the appropriate record.

The rules relating to gifts affecting employees are set out in Regulation 34B of the Administration Regulations. (Copy attached)

4.8 Personal Behavior

Employees must:

- (a) act and be seen to act properly and in accordance with the requirements of the law and the terms of this Code;
- (b) perform their duties impartially and in the best interest of the whole of the Shire uninfluenced by fear or favour;

- (c) act in good faith (i.e. honestly, for proper purposes, and without exceeding their power) in the interests of the Shire;
- (d) make no allegations which are derogatory of the Shire or any person or which are otherwise improper and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment;
- (e) always act in accordance with their obligation of fidelity to the Shire; and
- (f) represent and promote the interests and decisions of the whole of the Shire at all times.

4.9 Honesty and Integrity

Employees must:

- (a) observe the highest standards of honesty, integrity and propriety and avoid conduct, which might suggest any departure from these standards, noting that in this code,

“honesty” includes acting with sincerity and not lying or knowingly misleading, cheating or stealing.

“integrity” refers not only to knowing what is the right thing to do but having the moral strength and courage to act on one’s convictions and on principle rather than expediency; and

“propriety” is to behave correctly as befits the duties of one’s professional responsibilities and role;

- (b) promptly bring to the notice of the CEO any apparent dishonesty on the part of any Member or other employee;
- (c) be frank, honest and fair in their official dealings with each other in the performance of their duties as employees; and
- (d) be objective in undertaking their professional duties and functions.

(Objectivity involves a state of mind which imposes on an individual the obligation to be fair and impartial, intellectually honest and free of conflicts of interest and bias).

4.10 Performance of Duties

While on duty, employees will give their whole time and attention to the business of the Shire and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Shire.

4.11 Compliance with Lawful Orders

- (1) Employees must comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the CEO.
- (2) Employees should give effect to the lawful policies of the Shire whether or not they agree with or approve of them.

4.12 Administrative and Management Practices

Employees should ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

4.13 Professional Development

Employees must continually strive to improve their professional competence, maintain their knowledge and encourage the development of the skills and competence of associates.

4.14 Corporate Obligation

- (1) Standard of Dress

Employees are expected to comply with neat and responsible dress standards at all times. Such standards prohibit the wearing of footwear or clothing which overly advertises or sponsors particular products, events or services. Management reserves the right to raise the issue of dress with individual employees.

- (2) Communications and Public Relations

All aspects of communication by employees (including oral, written or personal), involving the Shire's activities should reflect the status and objectives of the Shire. Communications should be accurate, polite and professional.

Employees should not comment on what are clearly political issues as that is the prerogative of the President or the CEO.

4.15 Relationships between Employees and Members and Other Employees

Teamwork will only occur if employees have mutual respect for and co-operate with each other and with Members and any Committee to achieve the Shire's corporate goals and strategies. To achieve this, employees need to:

- (a) accept that their role is a management or administrative one;
- (b) refrain from publicly criticising Members or Other Employees in a way that casts aspersions on their professional competence or credibility; and
- (c) not expect work to be expedited by employees in relation to requests or complaints they make about matters in which they or a person closely associated with them has an interest.

4.16 Appointment to External Organisations

As part of their role employees may be asked to represent the Shire on external organisations. It is important that employees –

- (a) clearly understand the basis of their appointment as a representative or delegate of the Shire; and
- (b) provide regular reports to the Council or the CEO or other superior as appropriate, on the activities of the organisation.

4.17 Use of Local Government Funds and Equipment

Employees must:

- (a) be scrupulously honest in their use of the Shire's funds and equipment and will not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (b) use the Shire's resources entrusted to them effectively and economically in the course of their duties; and
- (c) not use the Shire's resources (including the services of the Shire's employees) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so by the CEO.

4.18 Travelling and Sustenance Expenses

Employees should only claim or accept travelling and sustenance expenses arising out of travel related matters which have a direct bearing on the services, policies or business of the Shire in accordance with the relevant Shire policy and the provisions of the LG Act.

4.19 Prevention of Fraud, Illegality and Improper Conduct

Employees:

- (a) who hold a management position, are responsible for preventing fraud by ensuring that fraud prevention controls are established and maintained in their respective areas of responsibility;
- (b) must report to the CEO or where the evidence implicates the CEO, to the President, any evidence of fraud or illegal or improper conduct which becomes known to them. This requirement is intended to be in line with the Corruption and Crime legislation; and
- (c) should inform themselves of and be mindful of the requirements of the Corruption and Crime legislation.

COUNCIL MEMBERS, COMMITTEE MEMBERS AND EMPLOYEES

Shire of Mundaring

Code of Conduct

Statement

I

(Name)

of

(Residential Address)

having been appointed as a member of the Council, a member of a Committee of Council or as an employee (*strike out which is not applicable*) of the Shire of Mundaring, acknowledge and promise that I will abide by the Shire's Code of Conduct during my appointment as a member of the Council, or a Committee or as an employee of the Shire.

Signed: _____

Date: _____