DISTRICT COUNCIL OF Streaky Bay
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EMPLOYEE CODE OF CONDUCT POLICY

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Strategic Plan link: **Strategy 1.1.7** Section 90(8a) & (8b) of the *Local Government Act 1999*		
References and related Policies, Procedures and Forms: *Independent Commissioner Against Corruption Act (SA) 2012* *Local Government Act 1999 (SA)* *Local Government (General) Regulations 2013* (SA) *Public Interest Disclosure Act (SA) 2018* DCSB-G-09.11 Public Interest Disclosure Policy DCSB-TC-19.01 Streaky Bay Social Media Policy DCSB-HR-12.07 Workplace Bullying, Harassment and Workplace Violence Policy DCSB-HR-12.09 Performance and Development Policy DCSB-HR-12.00 Performance Management Framework DCSB-HR-12.10 Health, Wellbeing and Fit for Work Policy DCSB-HR-12.03 Fair Treatment Policy DCSB-HR-12.11 Grievance and Dispute Resolution Policy DCSB-G-09.08 Fraud, Corruption, Misconduct and Maladministration Prevention Policy DCSB-G-09.13 Gifts and Benefits Policy		

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This Policy Applies To:

All employees of the District Council of Streaky Bay

1. 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 District Council of Streaky Bay. 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.

2. Purpose

- To establish District Council of Streaky Bay'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 District Council of Streaky Bay's disciplinary, counselling and dismissal procedures that will be applied to manage unacceptable performance or conduct.

3. Scope

The Code of Conduct applies to all employees of District Council of Streaky Bay. 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.

4. 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, District Council of Streaky Bay's disciplinary procedures shall apply.

5. 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 District Council of Streaky Bay'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 District Council of Streaky Bay's, subcontractors' or employees' property.

d) Any fraudulent acts including tampering with financial records and/or processes.

e) Unauthorised possession and/or movement of District Council of Streaky Bay's, subcontractors' or other employees' property. This includes scrap or damaged items.

f) Driving a District Council of Streaky Bay's vehicle in a dangerous or intimidatory manner.

g) Unauthorised use of District Council of Streaky Bay's or subcontractors' equipment or vehicles, including driving District Council of Streaky Bay'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 District Council of Streaky Bay.

j) Sexual harassment in District Council of Streaky Bay's workplaces.

k) Inappropriate use of District Council of Streaky Bay's technology, including a breach of the IT Acceptable Use and Social Media Policies.

l) Divulging confidential information, unauthorised possession of District Council of Streaky Bay's documents or making public statements (including on social networking sites) detrimental to District Council of Streaky Bay's operation.

m) Wilful, irresponsible, or negligent acts, which result or could result in damage and/or loss to subcontractors', suppliers', District Council of Streaky Bay'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.

o) Must not seek out or receive a gift or benefit that is, or could reasonably be taken to be, intended or likely to create a sense of obligation on the part of the employee to a person or influence the employee in the performance or discharge of the employee's functions or duties.

p) Must provide details of a gift or benefit to the Chief Executive Officer. If the employee receives a gift or benefit of an amount greater than the amount determined by the Minister (from time to time), by notice published in the Gazette.

q) Use or misuse of your official position or appointment for personal gains or to benefit/ favour your relatives or friends.

r) Failure to declare any conflicts of interest that affects your objectivity in carrying out your duties.

s) Asking for or accepting a fee or other benefit for doing something as a local government employee.

t) Being absent from the workplace during a period in which a request for leave has been declined.

u) Being absent from work without authorisation and/or notification.

v) Refusing to undergo medical examination by a medical practitioner nominated by District Council of Streaky Bay by an independent third party when lawfully requested to do so.

w) Failing to comply with health and safety regulations, safety signs, equipment isolation and site entry procedures.

x) Sleeping whilst on duty.

y) Being imprisoned whilst employed by District Council of Streaky Bay.

z) Breaches of the District Council of Streaky Bay's key policies, including but not limited to, the Code of Conduct and the Drug and Alcohol Policy

aa) Actions that have the potential to bring District Council of Streaky Bay into disrepute.

ab) Actions that have caused, or have the potential to cause, District Council of Streaky Bay to lose trust and confidence in the employee, including dishonesty, lack of integrity and unfair behaviour.

ac) Behaving or inciting unlawful stop work action or riotous behaviours.

ad) 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 District Council of Streaky Bay from time to time.

6. 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 District Council of Streaky Bay's opinion, to safely perform work.

f) Being absent without authorisation of the supervisor.

g) Acting in an irresponsible manner, defacing District Council of Streaky Bay's property or indulging in practical jokes which may endanger, or have the potential to endanger, other employees.

h) Inappropriate use of District Council of Streaky Bay'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 District Council of Streaky Bay'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 District Council of Streaky Bay'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.

7. Implementation And Delegation

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

8. Variations, Revocations And/or Changes to The Code Of Conduct

District Council of Streaky Bay'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.

9. Acknowledgement

I, _____ *(Print full name)* have read and understood the

District Council of Streaky Bay Code of Conduct and I agree to abide by this code which is outlined above.

Employee signature: _____ Date signed: _____