

# Code of Conduct



Frankston City Council

*opportunity » growth » lifestyle*

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## Introduction

This Code of Conduct is designed to assist employees to understand how to undertake their duties and behave according to the values of Frankston City Council.

This Code of Conduct apply to all members of the Frankston City Council workforce, including permanent, temporary, part-time and casual employees as well as volunteers, agency employees, work experience students and graduate placements.

## The role of Council

Frankston City Council (Council) is established under, and operates in accordance with, the *Local Government Act 1989* (the Act).

The Act states that the key purpose of local government is to provide for the peace, order and good government of the municipal district by:

- acting as a representative government by taking into account the diverse needs of the local community in decision making
- providing leadership by establishing strategy, objectives and monitoring their achievement
- maintaining Council viability by ensuring responsible and accountable management of resources
- advocating the interests of the local community to other communities and governments
- acting as a responsible partner in government by taking into account the needs of other communities
- fostering community cohesion and encouraging participation in civic life.

The functions of a Council include:

- advocating and promoting proposals which are in the best interests of the local community
- planning for and providing services and facilities for the local community
- maintaining community infrastructure in the municipal district
- undertaking strategic and land use planning for the municipal district
- raising revenue to enable the Council to perform its functions
- making and enforcing local laws
- exercising, performing and discharging the duties, functions and powers of Councils under the Act and other Acts
- any other function relating to the peace, order and good government of the municipal district.

## Our Vision

Lifestyle Capital of Victoria.

## Our Mission

We are driven by the privilege of serving our community and providing leadership and visionary thinking to ensure Frankston City is recognised as the Lifestyle Capital of Victoria. Our Internal Vision

## Our internal vision

**Our internal vision is “Creating tomorrow’s Frankston today!”**

This clear and empowering vision is backed up by a series of Purpose Statements designed to provide clarity and direction about how we will achieve our vision, develop and support our staff and continually improve the way we operate.

Our corporate purpose statements are:

- We will put people at the heart of everything we do.
- We will provide a safe and inclusive workplace for all staff to be at their best.
- We will develop and empower our people to thrive in a culture of achievement, collaboration, innovation and accountability.
- We will enhance the quality of life for current and future generations through the delivery of valued services.
- We will deliver customer service excellence to achieve organisational and community pride.

## Our Values

 Kinder	<p><b>We</b> care for and recognise the extraordinary people at the heart of what we do.</p> <p><b>We</b> listen to each other and empower everyone to have a voice.</p> <p><b>We</b> strive to be understanding and empathetic in all our interactions with others.</p>
 Smarter	<p><b>We</b> are clear on what matters and determined to follow through.</p> <p><b>We</b> value learning and support each other to grow.</p> <p><b>We</b> feel safe enough to innovate and lead the way.</p>
 Fairer	<p><b>We</b> leverage the strength in diversity.</p> <p><b>We</b> share information and communicate openly to make transparent decisions.</p> <p><b>We</b> use all of our valued resources respectfully, responsibly and equitably.</p>

## Worker Conduct

The purpose of this Code of Conduct is to clearly state the standards of responsibility and behaviours expected by those representing or working on behalf of Frankston City Council.

The Code of Conduct is designed to assist Council's workforce to understand how to undertake their duties and behave according to the values of Frankston City Council.

The requirements in this document apply to all members of the Frankston City Council workforce, including permanent, temporary, part-time and casual employees as well as volunteers, agency employees, work experience students and graduate placements. Any breach of the Code may constitute misconduct.

For the purposes of this document, the term used to describe all members, at all levels of the Frankston City Council workforce will be workers.

The Code of Conduct applies at all times when representing or working on behalf of Frankston City Council, this includes functions that are directly supported by Council.

## Conduct principles

The *Local Government Act 1989* (section 95) prescribes the way all local government workers must conduct themselves at work. You must:

- act impartially
- act with integrity including avoiding real or apparent conflicts of interest
- accept accountability for results
- provide responsive service.

Our Values and our Staff Code of Conduct reinforce these standards of behaviour and conduct for all Council workers.

The Code prescribes standards of required behaviour for all workers when conducting business with all stakeholders. It establishes a consistent approach to,

and common understanding of, the behaviours, standards, values and ethics to be applied in everyday work activities.

## Personal Conduct

As a worker of Frankston City Council, you should always behave in a professional manner that will foster the trust, confidence and goodwill in both your colleagues and in the community.

You are required to

- Demonstrate, through your actions, the values and behaviours of Frankston City Council;
- Always act in the best interests of the Council;
- Be open and honest in your official dealings with each other and the community;
- Be tolerant of other views, beliefs and ideas and ensure that you do not excessively promote your views, beliefs and ideas to others;
- Not unlawfully discriminate in your service delivery against any person, party, entity or group;
- Act impartially and without favouritism;
- Make no untrue or improper allegations or statements;
- Not engage in any conduct that brings the Council into disrepute;
- Refrain from using inappropriate language or mistreating employees or others in the course of your duties.

## Appearance and presentation

You are required to present yourself for work in neat, practical and acceptable attire which is safe, appropriate and suitable for the work.

This is an important aspect of representing Council in a professional manner and attention should always be paid to day-to-day appearance.

Council may require customer facing workers to cover any facial tattoos, remove any excessive facial piercings or may require workers to cover any offensive body tattoos

To enhance professional corporate image and presentation, Council may provide a uniform or corporate wear. Where a uniform or corporate wear is provided it should be worn in full at all times and maintained in a neat and clean condition, in accordance with Council's Uniform Policy.

Identification tags and/or name badges may also be provided and should be worn while on duty, in accordance with Council's Customer Service Standards. Only a worker's given name is required to be displayed on name badges or identification tags.

## Work performance and attendance

You are required to:

- Perform your duties to the best of your ability and in good faith for the benefit of the Council and the Community;
- Comply with all Council policies, procedures, delegations and lawful directions from your Supervisor or Manager;
- Work in accordance with your position description, employment arrangements and Council's Enterprise Agreement conditions and requirements;
- Be professional in your attendance behaviour including adhering to your rostered working hours, scheduled breaks, appointments, commitments and notification of absences in accordance with Council's Enterprise Agreement;
- Utilise your work time effectively to undertake your required duties;
- Ensure that you maintain all current licences, qualifications and registrations relating to your role, as outlined in your position description;

## Leadership Responsibilities

Any worker who is in a position to supervise team members, must ensure that they provide a safe, encouraging and supportive work environment that recognises and values diversity, abilities and contributions. Supervisors must also:

- Set realistic goals, timelines and workloads and provide access to resources and appropriate information to complete work

- Respond to legitimate concerns of their employees in a timely manner
- Assess performance and provide constructive feedback and development opportunities
- Address any performance issues promptly, directly and confidentially with the employee concerned

## Working in a team

You are required to work co-operatively with your colleagues, support and learn from them and accept differences in personal style.

You must treat your colleagues fairly, demonstrate respect at all times and be tolerant of other views, beliefs and ideas.

## Conflict of interest

You must act in a way which avoids any real or apparent conflict of interest between your Council employment, and the use of Council resources and/or knowledge in your involvement in:

- the community
- business or external employment
- political activities
- family or personal relationships
- other activities which could impinge on or influence their role as an employee of Council.

Under the *Local Government Act 1989* a conflict of interest can occur where an employee has a **direct** or an **indirect** interest in a matter that requires:

- a power to be exercised
- a duty or function to be performed, or
- a decision to be made.

A **direct** conflict of interest occurs where a worker and another person are seeking a benefit in relation to a matter. An **indirect** conflict of interest occurs when an



employee feels obliged to protect or advance the interests of others who are jointly seeking a benefit in relation to a matter.

A conflict of interest may exist even if the decision or action is *against* the interests of the worker.

You are to disclose any conflict of interest to your Manager and People and Culture, in relation to your day to day work, and in recruitment or procurement activities. This also includes if you have a personal or family relationship with a member of their team, a direct report or their supervisor/Manager.

If you are unsure, please speak with your Manager or contact People and Culture.

## Criminal Offences/Police and Working with Children Checks

You are required to report to your Manager any criminal offence which has occurred either prior to commencing or during your employment. If your role involves working with children, you are required to report to your manager any offence relating to the working with children check.

A determination will be made as to the relevance of the offence or conviction in the context of the provisions of the Human Rights and Equal Opportunity Act and Working with Children Act. If you are charged with any criminal offence during your employment you must advise your Manager and the Manager People and Culture immediately. Police and Working with Children Checks may be undertaken by Council at any time during your employment.

## Gifts

Accepting gifts and other benefits has the potential to:

- compromise your position
- affect the public's perception of the integrity and independence of Council.

Council has a Gifts Policy which:

- provides guidance to Council workers regarding receiving or being offered gifts, benefits or hospitality
- provides a transparent process for dealing with any gifts, benefits or hospitality offered or received
- aims to avoid potential conflicts of interest.

## Customer service

The *Local Government Act 1989* [section 95 (d)] provides that Council workers must provide responsive service. You must demonstrate:

- A focus on providing quality customer service – internal and external
- Respect for internal support teams
- The ability to receive and handle reasonable feedback
- Professionalism
- Pursuit of quality, timeliness, accuracy, and quality outcomes
- Use of documented standards and procedures to ensure consistency.

You are required to provide friendly, courteous service at all times and to all customers, including colleagues, in accordance with the Customer Service Standards.

## Political comment and activity

The *Local Government Act 1989* (section 95) provides that Council workers must in the course of their employment act impartially.

It is acknowledged that you may have political views and opinions. However, you must maintain political neutrality while performing your duties or representing Council, including on social media if you can be identified as Council workers.



## Fraud and Corruption

Council is committed to minimising and preventing fraud and corruption.

Fraud means any dishonest activity which causes actual or potential financial loss to Council or any person, corporation or other entity connected with Council.

Corruption involves dishonest performance by a Council worker or by Council in undertaking their functions on behalf of the public, and thereby knowingly or recklessly breaching public trust.

You are expected to undertake your duties honestly and conscientiously. You are also responsible for identifying suspected fraudulent activity and reporting it to your Manager, the Manager of the person involved in the activity, the Chief Executive Officer, Manager People and Culture or the Protected Disclosure Officer.

## Child Safety

Council is bound by and actively supports the *Child Safety and Wellbeing Act 2005* and the Victorian Government's [Child Safe Standards](#).

As part of this, Council:

- is committed to the safety of all children, and we actively work to listen to and empower children in the services we provide to the community
- does not tolerate child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our policies and procedures
- is committed to identifying child abuse risks early, and removing and reducing such risks
- works to promote cultural safety for Aboriginal children, children from culturally and/or linguistically diverse backgrounds, and to promote a safe environment for children with a disability
- is committed to training and educating our employees, contractors and volunteers on child safety.

All workers have a legal and moral obligation to speak with their Manager immediately, when they have a concern about a child's safety. All workers are expected to attend child safety training when it is offered.

For more information please see [Council's Child Safe Policy](#).

## Emergency Management

If the Municipal Emergency Management Plan is enacted, you may be asked to assist with emergency related functions under the *Emergency Management Act 1986*. This may include providing emergency response, relief and recovery services to the community.

## Policies and Procedures

Council's People and Culture Policies and Procedures apply to all employees and are available on Council's Intranet (Grapevine) and from People and Culture.

You are required to:

- Be familiar with and adhere to Council's Code of Conduct
- Be familiar with and adhere to Council's [Appropriate Workplace Behaviours Policy](#)
- Be familiar with and adhere to any Council policies and procedures relating to your employment or position.

## Equal opportunity

Council provides a work environment free from discrimination, sexual or other harassment, victimisation, vilification, bullying and workplace violence.

You are required to:

- respect the rights of other workers, customers and clients of Council
- be familiar with and adhere to Council's Code of Conduct and General terms and Conditions of employment.

- be familiar with and adhere to Council's Equal Opportunity and Preventing Harassment Procedures ([Appropriate Workplace Behaviour Policy](#))
- not participate in, support, assist or encourage any form of discrimination, harassment, sexual harassment, bullying, vilification or victimisation by any other employees, customers or clients.

To raise a complaint or grievance, please refer to the [Appropriate Workplace Behaviour Policy](#).

## Financial and Purchasing Responsibilities

If you have responsibility for managing a budget, creating and approving purchase requisitions, and approving payments, you must be aware of, and always operate within, your delegated expenditure authority. It is the responsibility of the worker to ensure you are aware of your financial delegations and relevant purchasing and procurement processes and procedures. Please speak to your Manager for more information.

You are required to maintain high standards of accountability when managing public money at all times and must not borrow or use Council money for private purposes.

## Human rights

Section 38 of the *Charter of Human Rights and Responsibilities Act 2006* (the Charter) states: "It is unlawful for a public authority to act in a way that is incompatible with a human right, or failing to give proper consideration to a relevant human right in making a decision."

Council is a 'public authority' for the purposes of the Charter. Council takes into consideration the impact on the human rights of people and groups of people in the community, of its policies, decisions and actions.

You are required to consider the impact of your actions on the human rights of others, including other employees.

## Occupational Health and Safety (OH&S)

All workers have an obligation under the *Occupational Health and Safety Act 2004* to take reasonable care of their own health and safety, and that of anyone else who may be affected by their work practices and actions.

You are required to:

- demonstrate a commitment to OH&S and workplace safety
- ensure your actions do not interfere with or place themselves or any other person at risk, or jeopardise their health and safety or the health and safety of any other person
- actively participate in the development and implementation of hazard elimination or minimisation strategies
- immediately report any accidents and hazards to your direct Supervisor or Manager and take appropriate action
- cooperate with and support all actions taken by Council to implement the requirements of the *Occupational Health and Safety Act 2004*
- attend and participate in all required OH&S training
- ensure all appropriate actions are taken to implement Council's OH&S policy and procedures, and relevant legislative requirements
- properly use and maintain all prescribed personal protective equipment
- participate in workplace safety inspections and audits.

Breaches of OH&S obligations and requirements may result in action being taken in accordance with Council's policies and procedures.

## Consumption of alcohol and drugs

You must ensure that you are in a fit and proper condition to safely and legally undertake your roles and responsibilities at all times. You must ensure that you are not affected by the consumption of alcohol or any drug (prescription or illicit) or in a

condition which endangers your own safety or the safety of any other person at a workplace.

Council reserves the right to require a worker to be tested if the Manager believes that the worker is impaired by drugs and/or alcohol, and is unable to safely perform the task(s) that they are carrying out, including driving vehicles and/or operating plant and equipment. Testing would be carried out in accordance with Council's [Alcohol and Drugs in the Workplace Procedure](#).

## Smoke free work environment

Council provides a smoke free work environment and in accordance with the Australian smoking laws, smoking is banned in all Council buildings and vehicles.

Smoking is also banned in areas near buildings which would allow the entry of tobacco smoke into the building.

## Use of Council property, equipment and information

Council equipment is issued for Council work related purposes only. Every care and attention must be taken in the use, operation, maintenance and storage of Council equipment.

When issued with Council equipment, or using Council equipment and materials you are required to:

- ensure that all property and equipment is properly maintained, cared for, and securely and appropriately stored
- ensure that all property and equipment is only used for the purposes for which it was issued
- ensure that you do not use Council resources, equipment or services for private purposes
- ensure that it is not used for any unauthorised purposes or by any unauthorised person

- ensure that all property and equipment is used in a safe and proper manner.

If Council assets or property are damaged, lost or stolen, and you are responsible for the asset or property, your supervisor/manager should be notified immediately and if relevant, an incident report should be lodged. The supervisor/manager is responsible for:

- arranging for its repair or replacement
- investigating the matter

## Information security

All workers are responsible for the security of information in our corporate systems and technology on a day-to-day basis. Due care must be taken by all users of Council's Information Systems to ensure that security is not compromised and there is no unauthorised access or use of the systems/data.

You must adhere to Council's [Information Security Guidelines](#).

## Use of mobile devices

You may be provided with mobile telephones and other mobile devices (tablets) for business use as required, relevant to their position, at the discretion of Council. Council owned mobile telephones and tablets are issued to Council employees for work related purposes only. Unauthorised use and use of Council mobile telephones and tablets by unauthorised users is prohibited.

If you are issued with a Council mobile telephone or tablet, you will be required to sign and adhere to the terms and conditions of the [Mobile Device Guidelines](#).

## Council vehicles

If you drive a Council vehicle, in accordance with Council's Motor Vehicle Policy, you must have a current Victorian Driver Licence and the appropriate endorsements, if

required, and must comply with all legal requirements, in particular, with regard to the consumption of alcohol and drugs and appropriate records management.

## Confidentiality

You are required to maintain confidentiality concerning your work with Council. You must not, either during or after your employment with Council, make any improper disclosure or use of:

- any information or trade secrets of Council
- the position of the Council, any Councillor or Council Officer on any confidential matter
- any other information, the disclosure or use of which may be detrimental to the interests of Council or of any person who has provided information to Council on a confidential basis.

You must use your best endeavours to prevent the improper publication or disclosure or use of any such information by any other person. This includes ensuring correct use of confidential information in emails, reports and any other work related document. You may only disclose such information where the disclosure is required by law.

## Intellectual property (moral rights)

‘Intellectual property’ refers to the creative and intellectual efforts of a worker for the purpose of their employment, and any items produced by such efforts.

Council retains ownership of any intellectual property created by workers in the course of their employment with Council. This means that you do not ‘own’ your work.

Council may use any material that you produce in the course of your employment, in any manner considered appropriate without acknowledging your role in the production or preparation of the material.

You must not claim to be or represent yourself as the author or producer of any material which remains the property of Council without the prior approval of the CEO.

Further, you must consent to all or any acts or omissions in relation to works you create in the course of your employment which may otherwise be an infringement of Moral Rights.

## Employee rights and responsibilities

### Privacy

You are responsible for supporting Council compliance with the *Privacy and Data Protection Act 2014* and the *Health Records Act 2001*. As part of this, you must:

- understand and comply with the Information Privacy and Health Records Policy
- respect and protect the privacy and confidentiality of all information that you may learn or have access to as a consequence of your employment.

Employees have a right to privacy. Council handles all employee information in line with the standards set out by Privacy Victoria, the *Privacy and Data Protection Act 2014*, the *Health Records Act 2001* and the *Public Records Act 1973*.

### Freedom of information

The *Freedom of Information Act 1982* (FOI Act) gives individuals the right to request access to information held by Council.

You have a responsibility, if requested by Council’s FOI Officer, to provide documents relevant to any request made for information. These documents will be assessed under the FOI Act and may either be released or withheld in part or full.

You should note that any information stored on Council equipment is the property of Council, and is, therefore, subject to discovery, review and disclosure under and in accordance with the FOI Act.

For further information, see the Intranet or contact the Governance and Information Department

## Public comment

If you are contacted by the media and asked to comment on Council matters you must immediately refer the enquiry to Community Relations (Communications), and not make comment to the journalist or representative. This includes journalism students.

You must not may liaise directly with the media unless you have the express permission of the Chief Executive Officer.

Contact Community Relations (Communications) immediately if you become aware of a potential or actual media issue or crisis.

## Social media

Any use of any social media sites on Council's behalf must be approved by the Communications Team. If you use social media for Council as a requirement of your position, you must ensure that any social media sites you use can be readily edited, improved or removed.

The Communications Team monitors all sites with which Council engages. The Communications Team also maintains a Social Media Users' Registry.

Private use of social media must be consistent with Council's [Social Media Protocol](#).

## Use of Council's logo and branding

All Council communications need to include the Frankston City Council logo and branding. The logo and branding must be used in accordance with the Branding Guidelines.

Contact Community Relations (Communications) before providing the logo to any other organisation. More information is available in the [Branding Guidelines](#).

## External employment

If you have external employment you must ensure that such employment does not:

- constitute a conflict of interest with your role and functions at Council
- constitute an inconsistency with your contract of employment with Council
- adversely affect or conflict with your ability to perform the duties of your Council position, including your availability to perform your role
- adversely affect your ability to work safely and adhere to all OH&S requirements (consider the hours of work)
- involve the use of or unauthorised access to any Council equipment or resources, including information acquired through your Council employment
- breach any legislation or regulations
- pose any risk to the reputation, viability or image of Council.

If you have external employment that may impinge on, detract from, interfere with or otherwise restrict your ability to effectively, efficiently and safely carry out the duties and responsibilities of your Council employment you must advise your direct supervisor in writing and include details including, your external employer, the usual amount of hours worked and the type of role performed. Council will then review your declaration, you need to be mindful if working outside of Council (in a paid or unpaid capacity) while employed with Council.

You must not engage in external employment which may impinge on, detract from, interfere with or otherwise restrict their ability to effectively, efficiently and safely carry out the duties and responsibilities of their Council employment.

## Breaches of terms and conditions of employment

Any breaches of or failure to adhere to the Code of Conduct and Council's policies and procedures will be dealt with in accordance with Council's Discipline Procedure.

## Acknowledgement

I have read and understood these Code of Conduct, and accept and agree to adhere to them.

Name:	
Position Title:	
Signature:	
Date:	